Treasure Room

ANNO. XXXII.

HENRICI OCTAVI.

IN THE PARLYAMENT begon at Westm, the. XXVIII. of Apryl, the. XXXI. yere of the reygne of the moste excellent, moste hygh, and mooste myghty prynce HENRY the eyghte, by the grace of GOD kynge of ENGLANDE and of FRAVNCE, defendour of the faythe, lorde of Irelande, and in erthe vnder CHRISTE supreme heed of the churche of Englande, our most redoubted souerayn lorde, there holden & afterward continued by dyuers prorogations, vnto the. XII. day of Apryl in the sayde yere. In the last session therof begon the same. XII. daye of Apryll, and from the same holden vnto the. XI. day of Maye, in the. XXXII. yere of his maiesties most prosperous reigne, from the whyche it was by prorogation contynued vntyll the. XXV. of the same moneth of May, and holden vntyl the. XXIIII. day of July, the sayd. XXXII. yere: At the whyche day the sayde parlyament was by his gracis auctorite fynysshed and dyssolued, Amonges mayny other the actes folowynge by his highnesse, with thassent of the lordes spirytuall and temporall, and the commons assembled in the sayde parlyament, haue bene establysshed, ordeyned and enacted.

ANNO. M. D. XL.

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¶AN ACTE HOVVE BY the kynges graunt, landes, tenementes. &c. may be by wyll, testament, or otherwyse disposed, and concernyng wardes and prymer seasons. Cap. i.

WHERE THE KYNGES MOST royall maiestie in all the tyme of his mooste gratious and noble reygne hath euer ben mercyfull louyng and beneuolent and moste gratious souerayne lorde vnto all and syngular his louing and obedient subiectes, and by many tymes past hath not only shewed and imparted to theym generally by his many and often great and beneficiall pardons heretofore by auctorities of his parlyamentes graunted, but also by dyuers other wayes and meanes many great and ample grauntes and benignities, in suche wyse as all his sayd subiectes ben moste bounden to the vttermooste of all theyr powers and graces by them receyued of god, to render and gyue vnto his maiestie, theyr most humble reuerence and obedient thankes and seruices, with their dayly and contynual prayers to almighty god for the contynual preseruation of his moste royall astate, in moste kyngly honour and prosperitie: Yet alwayes his maiestie being replete and endowed by god with grace goodnes and lyberalytie, moste tenderly consyderynge, that his said obedient and louynge subiectes, can not vse or exercise theym selfes accordyng to their estates degrees faculties and qualities, or to beare them selfes in suche wyse, as that they may conueniently kepe and maynteyn their hospitalities and families, nor the good educations and bryngynge vp of their laufull generations, whiche in this realme, laude be to god, is in all partes very great and abundant, but that in maner of necessite, as by daily experience is manyfested and knowen, they shall not be able of theyr proper goodes cattals, and other mouable substance to discharge theyr debtes, and after theyr degrees set forthe and auaunce theyr chyldren and posterities. Wherfore our sayd souerayne lorde moste vertuously consydering the mortalitie that is to euery persone at goddis wylle and pleasure moste common and vncertayne, of his moste blessed dysposition and lyberalitie beinge wyllyng to releue and helpe his sayd subiectes in theyr sayd necessities and debilities, is contented and pleased, that it be ordeined and enacted by auctoritie of this present parlyament in maner and forme as hereafter folowth, that is to saye, that all and euery person and persones, hauynge or whiche hereafter shall haue, any manours landes tenementes or hereditamentes holden in socage, or of the nature of socage tenure, and not hauynge any manours landes tenementes or heredytamentes holden of the kynge our souerayn lorde by knyghtes seruice, or by socage tenure in chief, or of the nature of socage tenure in chiefe: nor of any other person or persones by knyghtes seruyce, from the .xx. day of July, in the yere of our lord god. M.v. C. and forty, shall haue full and free lybertie power and auctoritie

rytie, to gyue dyſpoſe wylle and deuyſe as well by his laſt wyll and teſtamẽt in wrytyng or otherwyſe by any act or actes laufully executed in his lyfe, al his ſayd manours landes tenementes or hereditamentes or any of them, at his free wyll and pleaſure, any lawe ſtatute or other thyng heretofore had made or vſed to the contrary not withſtandynge.

¶ And that al and euery perſon and perſons, hauing manors landis tenementes or hereditamentes holden of the kinge our ſouerayne lord, his heires or ſucceſſours in ſocage, or of the nature of ſocage tenure in chief, & hauyng any other manours landes tenementes or hereditamentes holden of any other perſon or perſons in ſocage, or of the nature of ſocage tenure, & not hauynge any manors landes tenementes or hereditamentes holden of the kynge our ſouerayngne lorde by knyghtes ſeruyce, nor of any other lord or perſone by lyke ſeruyce, from the. xx. day of July, in the ſayde yere of our lorde god. M.v.C. and fortye, ſhall haue full and free lybertie power and auctoritie to gyue, wylle, dyſpoſe, and deuyſe, as welle by his laſte wylle or teſtament in wrytynge or otherwyſe by any acte or actes laufully executed in his lyfe, al his ſayd manours landes tenementes and hereditamentes or any of them at his free wyll and pleaſure: any lawe ſtatute cuſtome or other thyng heretofore had made or vſed to the contrary not withſtandynge. Sauynge alwaye, and reſeruynge to the kynge our ſouerayngne lorde, his heyres and ſucceſſours all his ryght title and intereſt of primer ſeaſon and reliefes, and alſo all other ryghtes and dueties for tenures in ſocage, or of the nature of ſocage tenure in chiefe, as heretofore hath ben vſed and accuſtomed, the ſame manours landes tenementes or hereditamentes, to be taken had and ſued out of and frome the handes of his hyghnes his heires and ſucceſſours, by the perſon or perſons, to whom any ſuche manours landes tenementes or hereditamentes ſhalbe diſpoſed wylled or deuiſed, in ſuche & lyke maner and forme as hath ben vſed by any heire or heires before the makyng of this eſtatute. And ſauyng and reſeruyng alſo fynes for alienations of ſuche manours landes tenementes or hereditamentes, holden of the kynge our ſouerayne lorde in ſocage, or of the nature of ſocage tenure in chiefe, wherof there ſhall be any alteration of freeholde or inheritance, made by wylle or otherwyſe, as is aforeſayd.

¶ And it is further enacted by thauctoritie aforeſayd, that al and ſingular perſone and perſones, hauynge any manours landes tenementes or herediytamentes of eſtate of inheritaunce, holden of the kynges hyghneſſe in chiefe by knyghtes ſeruyce, or of the nature of knyghtes ſeruice in chiefe, from the ſayde twenty day of Julye, ſhall haue full power and auctoritie, by his laſte wylle, by wrytynge, or otherwyſe, by any acte or actes laufully executed in his lyfe, to gyue, dyſpoſe, wylle, or aſſygne two partes of the ſame manours, landes, tenementes, or herediytamentes in three partes to be deuyded, or elles as moche of the ſayde manours, landes, tenementes, or herediytamentes, as ſhall extende or amounte to the yerely valewe of two partes of the ſame, in three partes to be deuided in certayntie, and by

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ſpecyall dyuyſions, as it maye be knowen in ſeueraltie, to and for the aduauncement of his wyfe, preferrement of his chyldren, and payement of his debtes, or otherwyſe at his wylle and pleaſure: any lawe, ſtatute, cuſtome or other thing to the contrary therof not withſtandyng. Saupng and reſerupnge to the kynge our ſouerapgne lorde the cuſtody wardeſhyp and primer ſeaſon or any of them, as the caſe ſhall require, of as moche of the ſame manors landes tenementes or hereditamentes, as ſhal amounte and extende to the full and clere yerely value of the thirde parte thereof, without any diminution, dower, fraude, coueyn, charge, or abridgement of any of the ſame thirde parte, or of the full profytes therof. Saupng alſo and reſerupng to the kyng our ſayd ſouerayne lord all fynes for alyenations of all ſuche manours landes tenementes and hereditamentes, holden of the kynge by knyght ſeruice in chiefe, wherof there ſhall be any alteration of freeholde or inheritaunce, made by wylle or otherwyſe, as is aboue ſayde.

¶ And be it enacted by auctoritie aforeſayde, that all and ſingular perſon and perſons, hauyng manours landes tenementes or hereditamentes of eſtate of inheritance, holden of the kyng in chief by knyghtes ſeruice, and hauyng other manours landes tenementes or heredytamentes holden of the kynge, or of any other perſone or perſones by knightes ſeruice or otherwiſe, euery ſuche perſone and perſones, from the ſayd. xx. day of July, ſhal haue ful power and auctorite to giue diſpoſe wyl or aſſigne by his laſt wyl, in writyng or otherwyſe by any acte or actes laufully executed in his lyfe, two partes of the ſame manours landes tenementes or hereditamentes in thre partes to be diuided, orels as moch of the ſame manours landes tenementes and heredytamentes, as ſhal extende or amounte to the yerely value of two partes of the ſame, in thre partes to be diuided in certaintie, and by ſpeciall diuiſions as it may be knowen in ſeueraltie, to and for the aduauncement of his wyfe, preferment of his chyldren, and payment of his debtes, or otherwyſe at his wyll and pleaſure: any lawe ſtatute cuſtome or other thing to the contrary therof not withſtandynge. Saupnge alway and reſerupnge to the kynge our ſouerayne lorde, the cuſtodye wardeſhip and primer ſeaſon or any of them, as the caſe ſhal require, of as moche of the ſame manours, landes, tenementes, or other hereditamentes, as ſhal amounte and extende to the ful and clere yerely value of the thyrde parte thereof, without any maner of dympnution dower fraude coueyn charge or ſubtraction of the ſame thyrde parte, or of the full pryfyttes therof.

Saupng alſo and reſerupnge to our ſayde ſouerapgne lorde the kynge al fynes for altenation of any ſuche manours landes tenementes or hereditamentes holden of the kynge by knyghtes ſeruice in chiefe, whereof there ſhalbe any alteration of freholde or inheritance, made by wyl or otherwyſe, as is aboue ſayde.

¶ Be it further enacted by the auctorite abouesaid that if any pſon or perſons, hold any manors landes teſites or hereditamentes onely of any other

lo;de o; perſone, than of the kinge our ſayde ſoueraigne lo;de by knightes ſeruyce, & other landes and tenementes in ſocage, o; of the nature of ſocage tenure, that than euery ſuche perſone ſhall o; maye gyue diſpoſe o; aſſure by his laſte wyll o; otherwyſe by any acte o; actes laufully executed in his lyfe, two partes of the ſayde manours landes and tenementes holden by knyghtes ſeruyce, o; of as moche therof as ſhal amounte to the full yerely value of two partes, in maner and fourme as is aboue declared: And alſo all the landes and tenementes holden by ſocage, o; of the nature of ſocage tenure, at his wyll and pleaſure, as is aboue w;itten. Saupnge and reſeruynge to the lo;de of the landes and tenementes holden by knyghtes ſeruyce, fo; his cuſtody and wardſhyp, as moche of the ſame landes and tenementes, as ſhall extende o; amounte to the full and clere yerely value of the thy;de parte of the ſame landes and tenementes holden by knyghtis ſeruyce, without any diminution dower fraude coueyn charge o; ſubtracti= on of any po;tion of that thirde parte, o; of the clere yerely value therof in maner and fourme afo;eſayde.

¶ AND be it further enacted by thauctho;itie aboueſayde, that if any per= ſone o; perſones holde any manours landes tenementes o; hereditamentis onely of the kynge our ſouerayngne lo;de by knyghtes ſeruyce, and not in chiefe, o; holde any manours landes tenementes o; hereditamentes of our ſayde ſouerayngne lo;de by knyghtes ſeruyce, and not in chief, and alſo hold other manours landes tenementes and hereditamentes of any other per= ſone o; perſones by knyghtes ſeruice: and alſo holde other mano;s landes tenementes o; hereditamentes of any other perſone o; perſones in ſocage, o; of the nature of ſocage tenure: that than all and euery ſuche perſon and perſons ſhall and may gyue diſpoſe wyll deuyſe and aſſure, by his laſt wyl o; otherwyſe by any acte o; actes laufully done o; executed in his lyfe, two partes of the ſame mano;s landes tenementes and hereditamẽtes, holden of our ſayd ſouerayn lo;de the kynge by knyghtes ſeruyce, and two partes of the mano;s landes tenemẽtes and hereditamentis, holden of any other perſon o; perſons by knightes ſeruyce, o; as moche of eyther of theym, as ſhall amounte to the full yerely value of two partes, in maner and fo;me as is aboue declared: and alſo of all his landes and tenementes ſo holden in ſocage, o; of the nature of ſocage tenure, at his free wyll and pleaſure.

Saupng and reſerupng to the kynges hyghnes the cuſtody & wardſhyp of as moche of the ſame mano;s landes tenementes o; other hereditamentes as ſhall extende and amounte to the full and clere yerely value of the thy;d part of the ſayd mano;s landes tenementes and hereditamentes, ſo holden of his highnes by knightes ſeruice, without any diminution dower fraude coueyn charge o; ſubtraction of any po;tion of that thirde parte, o; of the ful p;ofytes therof. And alſo ſauing and reſerupng to the lo;des, of whom any of the ſayd manours landes tenementes o; other hereditamentes ben holden by knightes ſeruice fo; cuſtody & wardſhip, aſmoch of the ſame ma= nours landes tenemẽtes o; hereditamentes holden of them o; any of them

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by knyghtes ſeruice, as ſhal extend and amounte to the ful and clere yerely value of the third part of the ſame, without any diminution charge fraude coueyn or ſubtractiō of any portion of that third part, or of the clere yerely value of the third part therof, in maner and forme aboue declared.

¶ Prouyded alway, and it is further enacted by thauctorite aforeſayde, that if that thirde part of the manors landes tenementes or hereditamentes of any of the kynges ſubiectes, whiche in any of the caſes aboue ſayd, ſhall hereafter come to the kynges hyghneſſe his heires or ſucceſſours by vertue of this acte, as is aboueſayd, be not or do not amounte to the clere yerely value of the full thirde part of al the ſayd manors landes tenementes or other hereditamentes, wherof the kinges hyghnes is or ſhalbe intitled to haue the cuſtody or primer ſeaſon, as is aboueſaid: that than our ſaid ſouerayne lorde and his heires ſhal and may at his or their fre lybertie and pleaſure, take into his or their handes and poſſeſſion, as moche of thother two partes of the ſaid manors landes tenementes and other hereditamentes, as with that of the ſame manors landes tenementes or hereditamentes holden remaynyng in the kynges handes, ſhal make vp the clere yerely value of the full thyrd part of the ſayd manours landes and tenementes ſo to be had to the kynges hyghnes, in title of wardſhyp and primer ſeaſon, or any of them, as the caſe ſhall require, and lyke benefyte and aduantage to be gyuen to euery lorde and lordes, of whom any ſuche manours landes tenementes or hereditamentes ben or ſhalbe holden by knightes ſeruice, as is aboue ſayd, concernyng only his thirde parte of or for title of wardſhip.

¶ PROVIDED alway, and be it further enacted by the auctority afore ſayd, that euery perſon and perſones ſhall ſue their lyueries for poſſeſſions reuerſions or remainders, and alſo pay relefes and heriettes after ſuche maner and fourme, as they ſhulde or ought to haue done before the makynge of this act, and as if this act had neuer ben made. And that fynes for alienations ſhall be payd in the kynges Chauncery, for and vpon writtes of Entree in the poſt, to be optayned in the ſame courte of Chauncery, after the ſayd. xx. daye of July, for common recoueries to be had or ſuffered of any manours landes tenementes or heredytamentes, holden of the kynge in chiefe: in lykemaner and fourme as is vſed vpon alienations of ſuche manours landes tenementes or hereditamentes, ſo holden in chiefe, by fyne or feoffement.

¶ PROVIDED alſo and be it enacted by the auctority aforeſayd, that in ſuche caſes, where fynes for alienations ſhal be payd in the kynges Chancery, for writtes of entree in the poſt, as is aforeſayd, that then none other fyne ſhal be payd in the ſame court for any ſuche writtes: any vſage or cuſtome to the contrary therof not withſtandynge.

¶ AND be it further enacted by the auctority aforeſayd, that where two or more perſones, now hold, or hereafter ſhall holde any manours landes tenementes or hereditamentes of the kyng our ſouerayne lorde, by knyghtes ſeruyce, ioyntly to them and to the heyres of one of them, and he that

hath the inheritaunce therof dyeth, his heyre beynge within age, that in euery ſuche caſe the kynge ſhal haue the warde and maryage of the bodye of ſuche heyre ſo beynge within age, the lyfe of the freholder or freholders of the ſayd mayours landes tenementes or hereditamentes ſo holden by knyghtes ſeruyce not withſtandynge. Sauynge and reſeruynge to all & euery woman and women all and euery ſuche ryghte tytle and intereſt of dower, as they or any of them owe to haue, or be or ſhal be iuſtely intitled to haue clayme or demaunde of any manours landes tenementes or hereditamentes by the lawes of this realme, to be taken and aſſigned vnto the or any of them, out of the two partes of the ſayde manours landes tenementes or hereditamentes ſeuered and deuyded from the thyrd part, as is aboue ſayd, and not other wyſe. And ſauynge alſo to the kynge our ſouereigne lorde, his heyres and ſucceſſours, the reuerſions of all ſuch tenaũtes in ioyntenure and dower, immediatly after the death of ſuch tenaũtes, if they ſhall happen to dye, durynge the minority of the kynges wardes.

¶ An acte for limitation of preſcription. Cap. ii.

FOR SO MOCHE as the tyme of lymitation appointed for ſewynge of writtes of ryghte, and other wryttes of poſſeſſion, and ſeaſon of mens aunceſtors or predeceſſors, or of theyr owne poſſeſſion or ſeaſon, by the lawes and ſtatutes of this realme heretofore made lymitted and appointed, extend and be of ſo farre and longe tyme paſt, that it is aboue the remembraunce of any lyuinge man, trewely to trye and knowe the perfect certaynty of ſuche thynges, as hathe or ſhall come in tryall, or done extend vnto the tyme and tymes lymitted by the ſayd lawes and ſtatutes, to the great daunger of mens conſcience that haue or ſhall be impanelled in any iury, for the tryall of the ſame: and alſo it is a great occaſion of moche trouble veration and ſuites to the kynges louynge ſubiectes, at the common lawes of this realme, ſo that no man although he and his aunceſtors, and thoſe, whoſe eſtate he or they haue, haue ben in peaſable poſſeſſion of a longe ſeaſon, of and in landes tenementes and other hereditamentes, is or can be in any ſurety quyetnes or reſt, of and in the ſame, without a good remedy and reformation be had made and prouided for the ſame. Be it therfore enacted by the kynge our ſouereign lorde, the lordes ſpirituall and temporall, and the commons in this preſent parlyament aſſembled, and by the auctority of the ſame, that no maner of perſon nor perſons ſhal from henſeforth ſue haue or maintein any writte of ryght, or make any preſcription tytle or clayme of to or for any manours landes tenementes rentes annuities commons pencions porcions corrodies, or other hereditamentes of the poſſeſſion of his or theyr aunceſtor or predeceſſor, and declare and alledge any further ſeaſon or poſſeſſion of his or theyr aunceſtor or

predeceſ-

predecessor, but onely of the season or possession of his auncestor or predecessor, whych hath ben, or now is, or shall be seased of the sayde manours landes tenementes rentes annuities commons pencions portions corrodies or other hereditamentes, within Therefore yeres next before the teste of the same writte, or next before the said prescription tytle or clayin, so hereafter to be sewed commensed brought made or had.

¶ AND be it further enacted by the auctority aforesayd, that no maner of person nor persons shal hereafter sue haue or mainteyn any assise of Mortauncestor, Colynage, Ayle, writte of Entre vpon disseasion done to any of his auncestors or predecessors, or any other action possessary, vpon the possession of any of his auncestors or predecessors, for any manours landes tenementes or other hereditamentes of any further season or possession of his or theyr auncestor or predecessor, but onely of the season or possession of his or theyr auncestor or predecessor, whych was or hereafter shal be seased of the same manours landes tenementes or other hereditamentes, within Fifty yeres next before the teste of the originall of the same writte hereafter to be brought.

¶ AND be it further enacted by the auctority aforesayde, that no person nor persons shall hereafter sue haue or mainteyne any action, for any manours landes tenementes or other hereditamentes, of or vpon his or theyr own season or possession therin, aboue Therty yeres next before the teste of the original of the same writte hereafter to be brought.

¶ AND be it also enacted by the auctority aforesayd, that no person nor persons shal hereafter make any auowry or cognisaunce, for any rent suite or seruyce, and alledge any season of any rent suite or seruyce in the same auowry or cognisaunce in the possession of his or their auncestors or predecessor or predecessours, or in his owne possession, or in the possession of any other, whose estate he shall pretende or clayme to haue, aboue Fifty yeres next before the makynge of the sayd auowry or conisaunce.

¶ AND OVER that be it enacted by the auctoritie aforsayd, that al formdownes in reuerter, formedownes in remainder, and scire facias vpon fynes of any manors landes and tenementes or other hereditamentes at any tyme hereafter to be sued, shall be sewed vsed and taken within fyfty yeres next after the tytle and cause of action fallen, and at no tyme after the sayd fyfty yeres passed.

¶ AND BE it also enacted by the auctoritie aforesayd, that if any person or persons at any tyme hereafter do sue any of the sayd actions or writtes, for any manors landes tenementes, or other hereditamentes, or make any auowry conysance prescription title or clayme of or for any rente suite seruice or other hereditamentes, and can not proue, that he or they, or his or theyr ancestors or predecessours were in actuall possession or season of and in the same manors landes tenementes rentes suites seruices annuities cõmons pencions portions corrodies or other hereditamentes at any tyme or tymes within the yeres before limitted and appoynted in this presents

acte, and in maner and forme as is aforesayde, if the same be trauersed or denyed by the partie playntife demandant or auowant, or by the partie tenant or defendant, that than and after suche tryall therin had, all and euery suche persone and persones and theyr heyres shall frome henseforthe be vtterly barred for euer of all and euery the sayd writtes actions auowries conisance prescription title and clayme hereafter to be sued had or made of and for the same manours landes tenementes hereditamentes, or other the premisses, or any parte of the same: for the whiche the same action wrytte auowry conysance prescription title or clayme hereafter shalbe at any time had sewed or made.

¶ Prouided alway and be it enacted by the auctoritie aforesayde, that all and euery person and persons, whiche now haue any of the sayde actions writes auowries Scire facias conisance prescription title or claime dependynge, or that hereafter shal sewe commence make or bryng any of the said wryttes or actions, or make any of the sayd auowries cognisances prescription titles or clayme, at any tyme before the feaste of the assention of our lorde god, whiche shalbe in the yere of our lorde god a thousande fyue hundreth forty and fyue, shall alleage the seasen of his or theyr auncestours or predecessours, or his owne possession and seasen, and also haue al other like aduantage to all intentes and purposes in the same writes actions auowries conisãces prescriptions titles and claymes, as he or they myght haue had at any tyme before the makyng of this estatute, this acte, or any thing therin conteyned to the contrary not withstandinge.

¶ Prouided also and be it further enacted by the auctoritie aforesayd, that if any persone or persones, beynge nowe within the age of. xxi. yeres, or couerte baron, or in prison, or out of this realme of Englande nowe hauyng cause to haue, sue, commence, make, or bryng any of the sayd writtes actions, or to make any auouries cognisaunces prescription tytles or claimes, that it shal be lauful to suche person and persons, beynge within age, couert baron, in prison, or out of this realm, to sue commence or bringe any of the sayd writtes or actions, or make any of the sayd auouries cognisaunces prescriptions tytles or claymes at any tyme within fyue yeres next after suche person or persons now beynge within age, shall accomplysh the age of. xxi. yeres, or within fyue yeres next after such person or persons nowe beynge couert baron, shall be sole, or within fyue yeres next after suche person or persons nowe beinge in prison, shall be at his liberty, or within fyue yeres next after such person or persons now beyng out of this realme, shal come and be within this realme. And that euery such person and persons in their said actions writtes auowries conysances prescription titles or claymes to be made sued or commenced within the sayd fyue yeres, shall alledge within the said fyue yeres the seasen of his or theyr auncestours or predecessors, or of his owne possession, or of the possession of those, whose estate he shall than clayme: And also within the same fyue yeres shall haue all and euery lyke aduauntages to all intentes and purposes in the same, as he or they

myght

mpght haue had before the makyng of this acte, and as though this acte had neuer bene hadde ne made: This acte or any thynge therin conteyned to the contrary not withstandyng.

¶ Prouyded also, that if it happen the sayde persone or persones now beynge within age or couert baron, in prison or oute of this realme, hauynge cause to sue commence make or bringe any the sayd writtes actions auowries cognisance prescription title or clayme, to decease within age, or being couert, as is aforesayd, or durynge the tyme he or they shall be in prison, or out of this realme, or to decease within. vi. yeres next after suche persone or persones shal accomplyshe his or their ful age, or shalbe at large within this realme, or shall become sole, and no determination or iudgement had of such titles actions or rightis so to them acrewed: that then the next heire or heires of suche person or persons being in prisone or out of this realme, or within age, or beinge couert baron so dyinge shal haue and enioy all and euery suche lyberty and aduauntage, to sue demaunde aduowe declare or make theyr sayde tytles claymes or prescriptions within. vi. yeres nexte after the deathe of suche persone or persones, nowe imprysoned or beinge out of this realme, or within age, or couert de baron, in suche or lyke maner and fourme to all intentes and purposes, as the same infant after his full age, or the sayd woman couert after the death of her husbande, or the same person being out of this realme after his repayre or commynge into the same, or the sayde person imprisoned after his enlargement and commyng out of prison, shuld or mpght haue had within. vi. yeres then nexte ensewynge by force and vertue of the prouision last before rehersed, any thyng in this act conteyned to the contrary therof in any wyse not withstandynge.

¶ PROVIDED also, that if any person or persons, before the sayd feast of the ascention of our lorde god, whiche shalbe in the sayd yere of our lord god, a Thousande fyue hundreth forty and syxe, commence and sue any of the sayd actions or writtes, or make any auowry prescription title or clayme and the same action wrytte auowry conysances prescription tytle or clayme happen by the deathe of any the parties to the same, to be abated before iugement or determination therof had, that then the sayde persone or persones beinge demaundantes or auowantes, or makynge any suche cognisaunce prescription tytle or clayme beinge than on lyue, and if not, than the next heire or heires of suche person or persones so deceassed, may commence and pursue his or theyr action and suite and make his or theyr auowry cognisaunce prescription tytle or clayme for or vppon the same matter within one yere next after suche action or suite abated, and shall haue and enioye all and euery suche lybertie and aduantage to sue demaund auowe declare or make theyr sayd titles claimes or prescriptions within the sayd one yere, as the demaundant or demaundantes in suche wryte or suite abated, or as suche as dyd auowe or make conisance tytle clayme or prescription, shulde or mpght haue done had vsed made or enioyed in the sayd former action or suite, any thinge in this acte to the contrary not withstandyng.

Prouyded

¶ PROVIDED furthermore, that if any false verdyt happen hereafter to be gyuen or made in any of the sayd actions sutes auowries prescriptions tytles or claymes, that than the party greued by reason of the same, shall and may haue his attaint vpon euery such verdit so giuen or made, and the plaintife in the same attaint vpon iudgement for hym gyuen, shal haue his recouery execution and other aduauntage in lyke maner & fourme as here tofore hath ben vsed and accustomed, any thynge before in this act conteyned to the contrary therof notwithstandynge.

¶ An act for the continuation of certayn actes. Cap. iii.

WHERE IN THE last parliament begunne and holden at London the thyrd day of Nouembre, in the. XXI. yere of the kynges most gracious raigne, and from thense adiourned to westñ, and there holden and continewed by sondry prorogations, It was enacted amonges other thynges, that all foreyn pleas tryable by the countrey, which shuld be pleaded by any person or persons, arrayned vpon any inditement for any pety treason, murder, or felony, shuld be tryed before the same Justices, afore whom such persons shuld be arrayned, and by the same iurors of the county, that shall trye the pety treason murder or felony, without any further respite or delay. And that no person or persons arrayned for any pety treason murder or felony, shuld be admitted to any peremptory challenge, aboue the number of. xx. which act was made to endure to the ende of the next parlyament, as by the sayd acte amonges dyuers clauses and prouisions conteyned in the same more plainly is expressed. And where also in the same parlyament it was enacted, that no person or persons, whych shuld happen to be found gylty, after the lawes of this realme, for any maner of pety treason, or for any wylfull murder of malyce prepensed, or for robbynge of any churches, chapelles, or other holy places, or for robbyng of any person or persons in theyr dwelling houses or dwellyng place, the owner or dweller in the sayd house, his wyfe, his chyldren, or seruauntes than beyng within, and put in feare and drede by the same, or for robbynge of any person or persons, in or nere about the hygh wayes, or for wylfull burnynge of any dwellynge houses, or barnes wherin any corne or grayne shall happen to be: nor that any person or persons beynge found gylty of any abetment procurement helpynge mayntenynge or counsaylynge of or to any such pety treason murders or felonies, shuld be admitted to the benefite of theyr clergy, such as be within holy orders, that is to say, of the orders of subdiacon or aboue al only except, with many other clauses and prouisions conteined in the said act, as by the same act more playnly appereth, whych act was also made to continu and endure to the last daye of the next parliament. And where also in the same parliament it was further enacted, that euery such person and persons, whyche shuld happen to be endited of any pety treason, wylful burnyng of houses,

murder,

murder, robbery, or burgulary, or other felony, accordynge to the tenour and meanynge of the sayd estatute next aboue reherſed, and therupon arrayned, dyd stand muet of malice or froward mynd, or challenge peremtory aboue the number of. xx. persons, or wyl not aunswere directly to the same inditement and felony, wherupon they shall be arrayned, that then euery such person and persons shuld lose the benefit and priuilege of their clergy. And it was also ordeyned by the same act, that if any person or persons be indited and found gylty for stealynge of any goodes or cattels, in any cōty of this realme, or beynge indited stand muet of malyce, or challenge peremtory aboue the number of. xx. persons, or wyll not aunswer directly to the law, shuld also lose the benefit of they clergy, in lyke maner and forme as they shuld haue done, if they had ben indited arrayned and found gylty in the same county, where the same robbery or burgulary were done, if it shal appere to the Justices by euidence or examination, that the said felons or robbers arrayned afore them, shuld or ought to haue lost they clergy by force of the sayd estatute, in case they had be found gylty of the same felonies or burgularies, in the same shyre where they were committed. as by the sayd act amonges other thynges more at large is expressed. And where also in the sayd parliament it was further ordeyned, that the detestable vice of buggery, committed with mankynd or beast, shulde be felony, and that the offenders therin shuld lose the priuilege of they clergy, which act was made to endure to the last day of the nexte parliament, as by the same acte amonges other thynges it appereth more at large. And where also in the parliament begunne and holden at westm̄ the. viii. day of June, in the xxviii. yere of the reygne of our sayd most dread soueraigne lorde kyng HENRY the VIII. and there continued and kept vntyl the dissolution therof, It was ordeyned and enacted, that all and syngular the sayd seueral actes aboue remembred and euery of them, shuld continue and endure in they force and strength, and also be obserued and kept vntyl the last day of the nexte parlyament. And it was also ordeyned by the auctority of the same parlyament, that suche as be within holy orders, shuld from thense forth stande and be vnder the same peynes and daungers for the offences conteyned in any of the said statutes, and be vsed and ordered to al intentes and purposes, as other persons not beynge within holy orders, any prouision or exception specified in any of the sayd actes, or any other vsage or custome of this realme to the contrary therof notwithstandynge, as by the same actes amōges other thinges therin conteined more plainly appereth. And for as moch as al & syngular the sayd seueral actes aboue mentioned be good and beneficial for the common welth of this realme: Be it therfore enacted and ordeyned by the auctority of this present parliament, that al & singular the sayd seueral actes, and euery of them, and al clauses articles and prouisions in them and euery of them conteyned, shal continue and endure in they force and strength, and be obserued and kept for euer.

¶ AND be it also enacted by auctority of this presente parlyament, that

suche

ſuch perſons as ben or ſhal be within holy orders, whych by the lawes of this realme ought or may haue their clergy for any felonies, and ſhalbe admitted to the ſame, ſhal be brent in the hand, in lyke maner and fourme as lay clerkes ben accuſtomed in ſuch caſes: and ſhal ſuffre and incurre after ward al ſuch peynes daungers and forfaytures, as be ordred and vſed for theyr offences of felony, to al intentes purpoſes and conſtructions, as laye perſons admitted to theyr clergy, be or ought to be ordered and vſed by the lawes and ſtatutes of this realme, any ſtatutes lawes prouiſiõs priuileges cuſtomes, or any other thynge to the contrarye therof heretofore vſed not withſtandynge.

¶An acte for the tryal of treaſons. &c. in Wales. &c. Cap. iiii.

FOR THE ſpedy tryal and puniſhment of ſuche perſons as haue committed and done, or hereafter ſhal commit and perpetrate any maner of treaſons or miſpriſions of treſons within the principalitie and dominion of Wales, and marches of the ſame, or els where within any the kynges dominion, where his graces original writtes in his Chauncery of England commonly runneth not, Be it enacted by auctority of this preſent parlyament, that all ſuch treaſons and miſpriſions of treaſons, as is afore ſayd, ſhal be preſented and tryed by the othes of twelue men inhabitynge, or which ſhal inhabite within any ſuch ſhyres, and before ſuch cõmiſſioners as the kynges maieſty from tyme to tyme in ſuch caſes ſhal aſſigne and appoynt by his commiſſion or cõmiſſions of Oyr and determiner in lyke maner and fourme, as if ſuch treaſons or miſpriſions of treaſons had ben done and committed within ſuch the ſayd ſhyres, in to the whych the ſayde commiſſions of Oyr and determiner ſhal be dyrected as is afore ſayd: And that all preſentments tryals proceſſes iudgementes executions and forfaytures hereafter made had or done by vertue of ſuch cõmiſſions, ſhal be good and effectual in the lawe to all purpoſes and intentes: any graunt cuſtome or vſage heretofore made or vſed, to the contrary not withſtandynge.

¶PROVIDED alway, that trialles of pieres of the realme concernynge treſons, ſhal be done and had as heretofore hath ben vſed and accuſtomed, any thynge in this acte conteyned not withſtandynge.

Thomas Berthelet regius impreſſor excudebat.
CVM priuilegio ad imprimendum ſolum.

¶ An acte for contentation of debtes vppon executions. Cap. v.

VHERE AS before this tyme dyuerse and sondry persones haue sued executions as well vppon iudgementes for theym giuen of theyr debtes or damages, as vpon such statutes marchaunte, statutes of the staple, or recognisaunces, as haue ben to them before made recognised and knowleged, and therevppon suche landes tenementes and other heredytamentes, as were lyable to the same execution, haue ben by reasonable extent to them deliuered in execution for the satisfaction of their sayd debtes and damages, accordynge to the lawes of this realme: Neuertheleſſe it hath ben oft tymes seen, that suche landes tenementes and heredytamentes so delyuered and had in execution, haue ben recouered or laufully deuested taken away or euicted from the possessiō of the said recouerers obligees or recognisees, their executours or assignes before such time as they haue ben fully satisfied & payd of their said debtis & damages, without any maner fraud disceyt coun collusion or other defaut in the said recouerers obligees or recognisees, their executors or assignes, by reson wherof ỹ said recouerers obligees & recognisees haue ben therby set clerely wout remedy by any maner sute of the law to recouer or come by any such part or peel of their said debtes & damages, as was behynd, & not by them leuied or receiued before such time as the said lādes tenemētis & other hereditamentis so by thē had in execution, were recouered, laufully deuested takē or euicted out of & from their possessions, as is afore said, to their great hurt and losse, and moch semyng to be against equal iustice & good conscience. For reformation wherof, be it enacted by auctorite of this present parliament, that if hereafter any suche landes tenementes or hereditamentis, as be or shall be had and deliuered to any person or persons in execution as is aforesaid, vpon any iust & laufull title matter condition or cause, wherwithal the said landis tenitis or hereditamentes were liable tied & bound at such time as they were delyuerid & taken into executiō, shal happen to be recouered, laufully deuested taken or euicted out of & frō the possession of any such pson & psons as now haue & hold, or herafter shal haue & hold the same in executiō as is aforesaid, wout any fraude deceit coun collusion or other defaut of the said tenāt or tenātes by execution before such tyme as the said tenātes by execution, their executors or assignes shall haue fully & holly leuied or receiued the said hole debt & damages, for ỹ whiche the said lādis tenemētes & other hereditamentes were deliuered & taken in execution, as is aforesaid: than euery suche recouerer obligee and recognisee shal and may haue and pursue a writ of Scire facias out of the same courte, from whense the sayd former writ of execution dyd procede, against suche person or persons, as the sayd writte of execution was fyrst pursued, theyr heyres, executours, or assygnes, of suche landes tenementes or hereditamentis as were or ben than lyable or charged to the sayd execution, retournable into the same courte at a certayn day, being full forty days after the date of the same writte: At which day if the defendant being laufully warned

warned, make defaulte, or appere and do not shewe and pleade a sufficient matter or cause, other than the acceptaunce of the sayd landes tenementes and hereditamentes by the sayd former writ of execution, to barre auoyde or dyscharge the said suite for the resydue of the sayd debt and damages, remaynynge vnleuied or vnreceiued by the saide former execution: than the lorde chauncellour, or other suche Justyce or Justices, before whome suche writte of scire facias shalbe returnable, shall make eftesones a newe writte or writtes out of the sayd former recorde of iudgement, statute marchant, statute staple, or recognisance, of like nature and effecte as the said former write of execution was, for the leuieng of the residue of all suche debt and damage as then shall appere to be vnleuyed vnsatisfied or vnpayde of the hole summe or summes in the sayde former writte of execution conteyned: Any lawe custome or other thyng to the contrary hereof heretofore vsed in any wyse not withstandyng.

¶ An acte for tryall of felonyes vpon conueyenge of horses into Scotlande. Cap. vi.

WHERE at a parliament holden at Westm̄ the. xv. daye of January, in the. xxiii. yere of the reigne of our most drad souerayn lord the king that now is, amonges other thingis it was enacted by thauctorite of the same parliament, that if any person or persons, after the feest of saint George the martyr than next ensuing, dyd sell exchange or deliuer within the realme of Scotlande, or in any place or ground, called the batable ground betwene Englande & Scotland, to thuse of any scottishe men, any horse gelding or mare, without lycence opteined of the kinges highnes, by his letters patētes vnder his gret seale so to do, or selle exchange or deliuer to any scottishman within this realme of England wales the town of Barwike, or the marches of the same, or in any of the sayd batable ground, to thentent to be conueyde into Scotland, any hors geldyng or mare, without special licence opteined of the kinges highnes by his letters patentes vnder his great seale so to do: that thā the same sale exchange or delyuery of such horse geldyng or mare, contrary to the same present act, shuld be iuged & demed by the lawe felony, as wel in the sellers exchangers or delyuerers, as also in hym or theym, to whom the same sale exchaunge or deliuery shal be made. And that it shalbe leful to the warden and wardens of the east west and myddel marches for the tyme beinge in theyr warden courtes, as also the kynges Justices of his peace, in theyr quarter sessyons, in euerye shyre of the realme, to enquiere here and determyne all and euerye suche felonyes, after lyke maner as is vsed in other felonies at the common lawe, whether the same sales exchanges or delyueries be made hadde or done by any persone or persones contrary to the same acte in the Realme of Scotlande, or in anye parte of the sayde batable groundes, or within the realme of Englande. And for that that the sayde statute is doubtefull, whether the wardeyn or wardeyns of the sayde

marches

marches haue auctoꝛitie by the woꝛdes compꝛiſed in the ſayd acte, to heꝛr and determine the ſale exchaunge oꝛ delyuerye of any hoꝛſe, geldynge, oꝛ mare in Englande oꝛ Scotlande, to the vſe of any ſcottyſhman as felony: Therfoꝛe it is nowe enactꝛd by the kynge our ſouerayne loꝛde, and the loꝛdes ſpiritуall and tempoꝛall, and by the commons of this preſent parlyament aſſembled, and by auctoꝛitie of the ſame, that it ſhal be lawfull to the warden & wardens of the Eaſte Weſt and myddell marches, foꝛ the tyme beynge, & euery of them, in theyꝛ wardeyn courtes, to here and determine all & euery ſuch felonious acte oꝛ actes done & committed within theyꝛ limittes by any perſone oꝛ perſons, in lyke maner as they do & haue vſed to here & determine marche treſons, whether the ſame ſales exchanges oꝛ delyueries made had oꝛ done by any perſon oꝛ perſons contrary to the ſayde ſtatute in the realme of Scotlande, oꝛ in any part of the batable groũdes.

¶ An acte foꝛ true payement of tythes and offerynges. Capitu. vii.

Where dyuers and many perſons, inhabityng in ſondꝛy cõtries and places of this realme, and other the kynges dominions, not regardinge their dueties to almightye god, and to the kynge our ſouerayn loꝛde, but in few yeres paſt moꝛe contemptuouſly, & commonly preſumynge to offende & infringe the good and holſom lawes of this realme, and gracious cõmandemẽtes of our ſayd ſouerayne loꝛd, than in tymes paſt hath ben ſene oꝛ knowen, haue not letted to ſubtracte and withdꝛawe the lawfull & accuſtomed tithes of coꝛnes, hay, paſturages, & other ſoꝛte of tithes and oblations commonly due to the owners pꝛopꝛietaries and poſſeſſours of the perſonages vicarages and other eccleſiaſtical places, of and within the ſayd realme and dominions, being the moꝛe encouraged therevnto foꝛ that, that dyuers of the kynges ſubiectes beyng lay perſons, hauyng perſonages vicarages & tythes to them & to their heires, oꝛ to them & to theyꝛ heires of their bodyes lawfully begotten, oꝛ foꝛ terme of lyfe oꝛ yeres, can not by the oꝛder and courſe of the eccleſiaſticall lawes of this realme, ſewe in any eccleſiaſticall courte foꝛ the wꝛongfull wythholdynge & detaynynge of the ſayd tithes oꝛ other duities, noꝛ can not by the oꝛder of the common lawes of this realme haue any due remedy againſt any perſon oꝛ perſons theyꝛ heyꝛes oꝛ aſſignes, that wꝛongefullye detayneth oꝛ withholdeth the ſame, by occaſion wherof moche controuerſye, ſuite, varyaunce, and diſcoꝛde is lyke to inſurge and enſewe amonge the kynges ſubiectes, to the greate detrimẽt, damage, and decaye of manye of them, yf conuenient and ſpedy remedy therfoꝛe be not had and pꝛouyded.

Wherfoꝛe it is oꝛdeyned and enacted by oure ſayde ſouerayngne loꝛde the kynge, with thaſſent of the loꝛdes ſpiritуall and tempoꝛall, and the commons in this preſent parlyament aſſembled, and by auctoꝛitie of the ſame,

that all and ſyngular perſones of this his ſayd realme, & other his domi-
nions, of what eſtate degree or condition ſo euer he or they be, ſhall fullye
truely & effectually diuide ſet out yelde or pay all & ſyngular tithes & offe-
ringes afore ſayd, according to the lawfull cuſtomes & vſages of the pari-
ſhes & places, where ſuch tithes or duties ſhall grow aryſe come or be due.
And in caſe that it ſhal happen any ꝑſon or ꝑſons of his or theyr vngodly
and peruerſe wylle and mynde, to detayne or withholde any of the ſayd ty-
thes or offeringes, or parte or parcell therof: than the perſone or partie be-
ynge eccleſiaſticall or laye perſon, hauynge cauſe to demaunde or haue the
ſayde tythes or offerynges, beyng therby wronged or greued, ſhall & maye
conuent the perſon or perſons ſo offendynge, before the ordinary, his com-
myſſarie or other competente miniſter or leefulle iudge of the place, where
ſuche wronge ſhall be done, accordynge to the eccleſiaſticall lawes. And
in euery ſuch cauſe or matter of ſuite, the ſame ordinary commiſſarye or o-
ther competent miniſter or lefull Judge, hauinge the parties or their lau-
full ꝓcuratours before hym or them, ſhall & maye by vertue of this acte
ꝓcede to the examination hearynge and determination of euerye ſuche
cauſe or matter ordinarily or ſummarily, according to the courſe and ꝓ-
ces of the ſayd eccleſiaſticall lawes, and therupon may gyue ſentence ac-
cordingly. And in caſe that any of the parties, for any cauſe or matter con-
cernyng that ſuite, do appeale from the ſentence ordre and diffinitiue iud-
gement of the ſayde ordinarye or other competent iudge, as is afore ſayde:
than the ſame iudge by vertue of this acte, forthwith vpon ſuche appel-
lation made, ſhall adiudge to thother partie the reaſonable coſtes of his
ſuite therin before expended, and ſhall compell the ſame partie appel-
launt to ſatiſfye and paye the ſame coſtes ſo adiudged by compulſory ꝓ-
ceſſe and cenſures of the ſayd lawes eccleſiaſticall, takynge ſuretie of tho-
ther partie, to whome ſuche coſtes ſhall be adiudged and payde, to reſtore
the ſame coſtes to the partie appellante, yf after, the principal cauſe of that
ſuite of appeale ſhall be adiudged agaynſte the ſame partie, to whome the
ſayd coſtes ſhall be yelden: And ſo euery ordinary or other competēt iudge
eccleſiaſticall by vertue of this acte ſhall adiudge coſtes to thother partie
vpon euery appele to be made in any ſute or cauſe of ſubtraction or deten-
tion of any tythes or offeringes, or in any other ſuite to be made for or con
cernynge the duetie of ſuche tythes or offerynges.

¶ And further be it enacted by the auctorite afore ſayd, that yf any perſon
or perſons after ſuche ſentence diffinitiue gyuen agaynſt them, obſtinatly
and wylfully refuſe for to pay their tithes or duties, or ſuch ſommes of mo
ney ſo adiudged, wherin they be cōdemned for the ſame: that than two Iu
ſtices of the peace of the ſame ſhyre, wherof one to be of the Quorum, ſhall
haue auctorite by this acte, vpon information certificat or complaynte to
them made in wrytyng by the ſayd eccleſiaſticall iudge that gaue the ſame
ſentence, to cauſe the ſame partie ſo refuſing, to be attached, & cōmytted to
the next Jayle, and there to remayne without bayle or maunpriſe, tyll he or

they

they ſhall haue founde ſufficient ſureties, to be bounde by recogniſance or otherwyſe before the ſame Juſtices, to thuſe of our ſouerayn lord ꝑ kyng, to performe the ſayd diffinitiue ſentence and iudgement.

¶ Prouyded alwayes and be it enacted by thauctoritie afore ſaid, that no perſon or perſons ſhalbe ſued, or otherwyſe compelled to yelde geue or pay any maner of tithes, for any manors landes tenementes or hereditamentes, whiche by the lawes or ſtatutes of this realme are diſcharged, or not chargeable with the payement of any ſuch tithes.

¶ Prouyded alſo and be it enacted by auctoritie aforeſayd, that this acte nor any thinge therin conteyned, ſhall in any wyſe bynde thenhabitantes of the cytie of London and ſuburbes of the ſame, for to paye theyr tythes and offerynges within the ſame cytie and ſuburbes otherwyſe, then they ought or ſhulde haue done before the makynge of this acte: any thynge in this acte conteyned to the contrary not withſtandynge.

¶ And be it further enacted by thauctoritie aforeſayde, that in all caſes, where any perſone or perſons, whiche nowe haue, or which hereafter ſhall haue any eſtate of inheritance freholde terme ryght or intereſt, of in or to any perſonage vicarage portion pention tithes oblations or other eccleſiaſticall or ſpiritual profyte, which nowe be, or which hereafter ſhalbe made temporall, or admitted to be abyde and go to or in temporall hãdes or laye vſes and profites by the lawes or ſtatuted of this realme, ſhall hereafter fortune to be diſſeaſed deforced wronged, or otherwyſe kepte or putte from their lawfull inheritaunce eſtate ſeaſon poſſeſſion occupation terme right or intereſt of in or to the ſame, or of in or to any parcell therof, by any other perſon or perſons, clayming or pretending to haue intereſt or title in or to the ſame: that then in all & euery ſuch caſe or caſes the perſon or perſons ſo diſſeyſed deforced or wrongfully kepte or put frõ his or theyr ryght or poſſeſſion, as is afore reherſed, theyr heyres wyues and ſuche other to whome ſuche iniury or wronge ſhalbe done or committed, ſhall & maye haue theyr remedy in the kinges temporall courtes or other temporall courtes, as the caſe ſhall requyre, for the recouery gettyng or optenyng of ſuch inheritãce eſtate freholde ſeiſon poſſeſſiõ terme right or intereſt, by wrttes original of Præc. q reddat, Aſſ. of nouel diſſeiſon, mordanc. Quod ei deforciat, wrytes of dower, or other wrytes originall, as the caſe ſhall require, to be deuyſed and graunted in the kynges court of chancery, of euery ſuche perſonage vicarage portion pencion or other profyt called eccleſiaſticall or ſpirituall, ſo to be demaunded, accordinge to the nature and cauſe of the ſuite therof, in lyke maner & forme as they ſhulde ought or myght haue had of or for landes tenementes or other hereditamentes in ſuch maner to be demanded. And that wrytes of couenant, & other wrytes for fynes to be leuyed, & all other aſſurances to be had made or conueyed of any ſuch perſonage vicarage portion pention or other profyt called eccleſiaſticall or ſpirituall, as is aforeſayd, ſhalbe hereafter deuyſed & graunted in the ſame chãcery, accordinge as hath ben vſed for fynes to be leuyed, & aſſurance to be

had made or conueyed of landes tenemẽtes or other hereditamentes. And that all iudgemẽtes to be geuen vpon any of the sayd wrytes originall, so to be deuised & graunted of or for any the premisses, or any of them: and all fynes to be leuyed & knowleged in any of the kynges sayd courtes therof, shall be of lyke force and effecte in the lawe, to all intentes & purposes, as iudgementes gyuen & fynes leuied of landes tenementes and hereditamẽtes in the same courtes vpon wrytes originall therfore dewely pursued & prosecuted, all be it no such forme of wrytes originall out of the sayd court of Chauncerie haue heretofore proceded or ben awarded.

¶ Prouyded alwayes, that this laste acte shall not extende nor be expounded, to gyue any remedye cause of action or suite in the courtes temporall ayenst any persone or persons, which shall refuse or denye to set oute his or theyr tythes, or which shall deteyne withholde or refuse to paye his tithes or offerynges, or any parcell thereof: but that in all suche cases the persone or partie, beynge ecclesiasticall or laye persone, haupnge cause to demande or to haue the sayde tythes or offerynges, and therby wronged or greued, shall take and haue theyr remedy for theyr sayd tythes or offeringes in euery such case in the spirituall courtes, according to the ordinance in the fyrst parte of this acte mencioned, and not otherwyse: Any thynge herein expressed to the contrarye therof not withstandynge.

¶ An acte agaynst sellers and byers of fesantes and partryches. Cap. viii.

FOr the encrease of fesauntes & partryches within this realme and for the good pastyme of the kynges maiestie, and his nobles and gentyll men in the same. Be it enacted by auctorite of this present parlyament, that no persone nor persones after the fyrste daye of September next commynge, shall sell or bye any fesant or partryche, vpon peyne that euery of the seller and byer shall lose & forfayte for euery fesant sold and bought contrary to this acte. vi. s. viii. d. And for euery partryche solde and bought cõtrary to this act. iii. s. iiii. d. The moytie of whiche forfayture to be to the kynges hyghnes, and thother moytie therof to such as wyll sue for ỹ same by originall wryte byll playnte or informacion. In whiche none essoyne protection nor wager of lawe shalbe allowed nor admitted.

¶ Prouyded alwaye, that euery persone and persons maye sell fesauntes and partryches to the officers and ministers of the honourable household of the kynges, quenes, the prynces, and of all the kynges chylderne: and that the same officers and ministers of such householdes, & euery of them, maye lawfully bye fesantes and partryches to be spent in any of the sayde householdes, as they mought before the makynge of this acte, any thynge in this acte to the cõtrary therof not withstandynge. This acte to endure tyll the laste daye of the nexte parlyament.

An

¶ An acte ageynst mayntenaunce embracery. &c. and ageynst vnlawfull byenge of tytles. Cap. ix.

THE KYNGE oure souerayne lorde callyng to his most blessed remembraunce, that there is nothinge within this realme that conserueth his louynge subiectes in more quietnes reste peace and good concorde, then the dewe and iuste mynistration of his lawes, and the true and indifferent tryalles of suche tytles and issues as ben to be tryed, accordynge to the lawes of this realme, which his most royall maiestie perceiueth to be greatly hindered and letted by mayntenance embracery champerty subornation of witnesses synister labour byeng of tytles & p̄tensed rightes of p̄sons not beinge in possession, wherupon great periury hath ensued, & moche inquietnes oppression vexation trouble wronges and disenherytaunce hath folowed amonge his mooste louynge subiectes to the great displeasure of almyghty God, the discontentation of his maiestie, and to the great hinderaunce and let of iustice within this his realme. For the auoydynge of all whiche misdemeanours and byeng of titles and pretensed ryghtes, and to thintent that iustice maye be more fully and indifferently ministred, and the truthe in causes of contention plainely tried betwene his subiectes of this realme: Be it enacted by oure sayde souerayne lorde, with thassente of the lordes spirituall and temporall, and the commons in this presente parlyamente assembled, and by auctoritye of the same, that from hense forthe al statutes heretofore made, concerning maintenaunce champerty and embracery, or any of them, nowe standing and beynge in their full strengthe and force, shalbe put in due execution, according to the tenures and effectes of the same statutes.

¶ And ouer that be it further enacted, by thauctoritie aforsaid, ẏ no person or persons of what estate degree or condition so euer he or they be, shal from hensforth bargayn bye or sel, or by any ways or meanes obteine get or haue any pretensed ryghtes or tytles, or take promyse graunte or couenaunte to haue any right or title of any person or persons in or to any manors landes tenementes or hereditamentes, but if such person or persons which shall so bargayne sel gyue graunte couenant or promise the same, their antecessors or they, by whome he or they clayme the same, haue bene in possession of the same, or of the reuersion or remainder therof, or taken the rentes or profites therof by the space of one hole yere next before the sayd bargayn couenaunt graũt or promise made, vpon peyn that he that shal make any such bargain sale promise couenant or graunt, to forfayt the hole value of the landes tenementes or hereditamentes so bargayned solde promised couenaunted or graunted, contrary to the fourme of this acte: And the byer or taker therof knowing the same, to forfayt also the value of the sayd landes tenementes or hereditamentes so by hym boughte or taken, as is aboue sayde.

Thone halfe of the sayd forfaytures to be to the kynge our souerayne lord, and the other halfe to the partye that woll sewe for the same in any of the

kynges courtes of recoꝛde by action of dette byl playnt oꝛ infoꝛmation, In wiche action byl playnt oꝛ infoꝛmation no essoyn pꝛotection wager of lawe noꝛ iniunction shall be allowed.

¶And furthermoꝛe, that no maner of person oꝛ pꝛsons, of what estate degre oꝛ condition so euer he oꝛ they be, doo hereafter vnlawfully mayntayne oꝛ cause oꝛ pꝛocure any vnlauful mayntenance in any action demaunde suite oꝛ complaynte in any of the kynges courtes of the Chaunceric, the Sterre chamber, white halle, oꝛ elles where, within any the kynges domynyons of Englande oꝛ Wales, oꝛ the marches of the same, where any persone oꝛ persons haue oꝛ hereafter shall haue auctoꝛitie by vertue of the kynges cõmission patent oꝛ wꝛitte, to holde plee of landes, oꝛ to examyn here oꝛ determyne any tytle of landes, oꝛ any matter oꝛ witnesses concernynge the tytle right oꝛ interest of any landes tenemẽtes oꝛ hereditamentes. And also that no person noꝛ persons, of what estate degree oꝛ condition so euer he oꝛ they be, do hereafter vnlaufully reteyne foꝛ maintenance of any sute oꝛ plea, any person oꝛ persons, oꝛ embꝛace any freeholders oꝛ iuroꝛs, oꝛ suboꝛne any wytnes by letters, rewardes, pꝛomyses, oꝛ by any other synyster labour oꝛ meanes foꝛ to mayntayne any matter oꝛ cause, oꝛ to the disturbance oꝛ hindꝛance of iustice, oꝛ to the pꝛocuremente oꝛ occasion of any maner of periury by false verdite, oꝛ otherwise, in any maner of courtes afoꝛesayd, vpon peyn of foꝛfayture foꝛ euery suche offence. x. li. Thone moytie therof vnto the kynge our soueraygne loꝛde, and thother moytie to hym that woll sue foꝛ the same by action of debte byll playnte oꝛ infoꝛmation in any the kynges courtes, in whiche action no essoyne pꝛotection wager of lawe noꝛ iniunction shall be allowed.

¶PROVIDED alway, and be it enacted by thauctoꝛitie afoꝛesayde, that it shalbe lawfull to any person oꝛ persons beinge in lauful possession by takynge of the yerely ferme rentes oꝛ pꝛofytes of oꝛ foꝛ any manours landes tenementes oꝛ hereditamentes, to bye obteyne get oꝛ haue by any reasonable waye oꝛ meanes the pꝛesented ryght oꝛ tytle of any other person oꝛ persons, hereafter to be made, to of oꝛ in such manours landes tenementes oꝛ hereditamentes, wherof he oꝛ they shal so be in lauful possession: any thing in this acte conteyned to the contrary not withstandynge.

¶AND foꝛ the due execution of this pꝛesente acte, be it further enacted by auctoꝛitie abouesayde, that the Justices of assyse of euery cyꝛcuite within this realme, and elsewhere within the kynges domynions, shall in euery county within theyꝛ circuites two tymes in the yere, that is to saye, in the tyme of theyꝛ sittinges, foꝛ the takynge of assises oꝛ deliuery of the Gaoles, cause open pꝛoclamation to be made, aswell of this pꝛesent acte, and of euery thinge therin conteyned, as also of all other statutes heretofoꝛe made, agaynst vnlawfull mayntenance champerty embꝛacerye oꝛ vnlaufull reteynours, to thentente that no maner of person oꝛ persons hearynge the same, shulde be ignoꝛante oꝛ myscognisant of the daungers and penalyties therin conteyned and specyfied.

¶ Prouided alway, and be it enacted by the auctority aforesayd, that this acte shall not extende to charge any person or persons with any of the penalities mencioned in the sayd acte, for any offence by hym or them committed, contrary to the sayde acte, except the same person or persons so offendyng be sued therof by action of debte byll playnt or informatton in any of the kynges courtes within one yere nexte after the same offence by hym or them committed as is aforesayde.

¶ An acte for the moderation of the punishment of incontinency of prestes, and women offendyng with them. Cap. x.

WHERE in the fyrst session of this present plliament, begon & holden at westm the .xxviii. day of Aprill, in the .xxxi. yere of the kynges most noble reigne, & there continued vnto the xxviii. day of June then next folowynge, in certayne ordenaunces there made for abolishyng of diuersity of opinions in diuers articles concernynge christen Religion, amonges other thinges it was and is enacted, that if any man, which then was, or had ben preest, at any tyme from or after the .xii. day of July then nexte ensuinge, dyd carnally kepe or vse any woman, to whome he than was or had ben maried, or with whom he had contracted matrimony, or openly be conuersaunt, kepe company, and familiarity, with any suche woman, to the euyll example of other persons, euery suche carnall vse, copulatyon, open conuersation, kepinge of company and familiarity, be and shuld be demed and adiudged felony, as well agaynst the man as the woman, and that euery suche person so offendyng, shuld be enquired of, tried, punysshed, suffer, lose, and forfayte, all and euery thinge and thinges, as other felons made and declared by the sayd act, and as in case of felonye. And where in the sayd act it is also further enacted by the auctority aforesayd, that if any man, which then was or had ben preest, or after that shuld be, at any tyme after the said .xii. day of July, dyd carnally vse and accustome any woman, or kepe her as his concubine, as by payeng for here bourde, maynteinynge her with money, array, or any other giftes, or meanes, to the euyll example of other persons, that than euery suche offender beynge therof duely conuicted or attaynted by the lawes mentioned in the sayd acte, shuld forfayte and lose all his goodes and cattalles, benefices, prebendes, and other spiritual promotions, and dignities, and also shuld haue and suffer imprisonment of his body, at the kynges wyll and pleasure: and that euery of the sayd benefyces, prebendes, and other spiritual promotions, and dignities, shulde be to all intentes and purposes vtterly voyd, as if the sayd offender had resigned, or permuted. And if any suche offender, or offenders, at any tyme after the sayd conuiction or attaynder, eftsones dyd commytte, do, or perpetrate, the sayde offences, or any of them nexte before rehersed, and be therof

therof duely conuicted or attainted by the lawes mentioned in the said act, that then all and euery suche offence and offences shulde be demed and adiudged felony, and the offender or offenders therin shulde suffer peynes of death, and lose and forfayt all his and their goodes, landes, and tenementes, as in cases of felony, without hauing any benefyt of clergy or sanctuary: And that those women, with whom al and singuler the foresayd priestes shuld in any of the foresaid wayes haue to do with, or carnally know, as is aforsayd, shuld haue lyke punishment as the priestes, as by the sayde act amonges other thynges it manifestely appereth. Our sayd soueraign lorde the kyng graciously consideryng, that albeit that the incōtinent lyuyng of priestes (from whome all good example of vertue and good iuygge moste specially shuld procede, to the good instruction and edifieng of other christen people) is highly to the displesure of almighty god, and great occasion of increace of lyke synfull lyuynge, to all other the kynges subiectes, yet the sayd punyshment therfore prouided by peynes of death is very sore and to moche extreme: wherfore the kynges maiestye is contented and pleased, that with the assent of the lordes spirituall & temporal, and of the commons in this present parlyament assembled, it be ordeyned and enacted by auctority of the same, that the sayd clause, and clauses aboue written in the acte before rehersed, conteyned, concernyng felony and peynes of death, and other penalities & forfaitures, for and vpon the first and second conuictiō or attaynder of any priest or woman, for any of the sayde offences in the same clauses of the said act mentioned, shall be from hensforth vtterly voyd and of none effect. And also that it be ordeyned and enacted by auctority of this present parlyament, that if any suche offender as is aboue writen, hereafter shall happen to be duely conuicted or atteynted by the lawes mentioned in the foresaid act, of or vpon any of the crimes or offences afore writen, that then euery suche offender, so beynge conuicted or attainted, shal from hensforth vpon his fyrst conuiction or attaynder onely forfayt and lose to our sayd soueraygn lorde the kynge, all his goodes cattelles and debtes. And if the same offender at the tyme of that his first conuiction or attaynder haue any mo benefyces or ecclesiastical dignities or promotions than one: than the same offender so conuicted or attaynted shall forfayte and lose for terme of his lyfe, all issues reuenues and profites, of all his sayd benefyces, or other ecclesiastical dignities or promotions (except one of the same benefices or other ecclesiasticall dignityes or promotions). And if it shal fortune any such offender or offenders, at any tyme after his said fyrst conuiction or attainder, to commit do or perpetrate any of the said offences before rehersed, be therof eftsones duely conuicted or attaynted by the lawes aforesaid: that than euery suche offender shall onely lose and forfayt to our said soueraign lorde the kynge, all his goodes cattalles and debtes, and also durynge his lyfe al the yssues and profyttes, of al his landes, ecclesiastical dignities, benefyces, offices and promotions, to be had leuyed percepued and taken to the kynges vse. And if it shall fortune any suche offender or offenders at

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any tyme after his ſayd ſecond conuiction or attainder to cõmit do or perpetrate any of the offences before writen, and be alſo therof duely cõuicted or attayned by the lawes aforeſayd, that than euery ſuch offender ſhal onely forfayte and loſe to our ſaid ſoueraygne lorde the kinge, all his goodes, cattalles & debtes, & alſo durynge his lyfe all the iſſus and profyttes of all his landes and tenementes, and of all his eccleſiaſticall dignities benefyces offyces and promotions, to be had leuyed perceyued and taken to the kynges vſe, and alſo ſhall further haue & ſuffer continuall impriſonment of his body durynge his lyfe. And euery woman being ſole and vnmaryed, with whome any prieſte ſhall ſo offend in any of the offences aboue wrytē, ſhall forfayt for her firſt conuiction or attainder, of or vpon any of the crimes or offences aforeſayd, all her goodes cattalles and debtes. And for her ſecond conuiction or attaynder, of or vpon any of the crimes or offences aforeſayd, all her goodes cattalles and debtes, and alſo the one halfe of all the iſſues reuenues and profyttes of all her landes tenementes and hereditamentes, by all the terme of her lyfe. And for her thyrde conuictiõ or attaynder, of or vpon any of the crimes or offences aforeſayde, ſhe ſhall forfayte all her goodes cattalles, and debtes, and alſo durynge her lyfe, all the iſſues and profittes of all her landes and tenementes, & alſo ſhall further ſuffer empriſonemẽt of her body by all the terme of her lyfe. And yf the woman, with whome any prieſt ſhall ſo offende in any of the offences aboueſayd, be maryed: that then for euery her conuiction or attaynder of or vpõ any of the crymes or offences afore ſayd, ſhall haue & ſuffer empriſonemẽt of her body by all the terme of her lyfe, at the kynges wyll & pleaſure. Any thynge conteyned in this ſayd former acte to the contrary of the ſayd penalities in this acte mentioned in any wyſe not withſtandynge.

¶ Sauyng to all and ſyngular perſon and perſons bodyes politike and corporat, theyr heyres ſucceſſours and aſſignes, & to the heyres ſucceſſours and aſſignes of euery of them, (other than ſuch perſone and perſones that ſhall hereafter fortune to offende contrary to ỳ tenour of this acte) all ſuch ryght tytle intereſt poſſeſſion entre action conditiõ rentes remaynders, reuertions annuities fees commons leaſes liberties & commodites, whiche they or any of them haue ſhall or ought to haue at the tyme of any ſuch offence commytted, or done by any of the ſayd offenders, contrarye to the tenour of this acte, in as ample and large maner and forme, to all intentes conſtructions and purpoſes, as yf this acte had neuer ben had ne made, any thynge in this acte conteyned to the conttary not withſtandynge.

¶ An acte concernynge ſtelynge of haukes egges, conyes, and deere. Capitu. xi.

FOr as moche as Juſtyce and equitie requyre that euerye inheritour and poſſeſſour of manours landes or tenementes within this realme of Englande, ſhuld according to theyr eſtates or poſſeſſions, peaſably and quietly

quietlye haue take and enioye the profyttes reuenues and commodities of the same, as well in thynges of pleasure, as in thynges commonlye valuable without iniurye rapine or other extorte wronge to be commytted or done to anye of theym, within or vppon the same. And where in the parlyamente holden at Westmynster in the xi. yeare of the reygne of the noble Prynce of famous memorye kynge Henry the seuenthe, it was ordeyned and amongest other thynges enacted, that no man of what condition or degree so euer he be, shulde take or cause to be taken the egges of any faucon, goshauke or lanerde oute of the neste, vppon payne of imprisonmente by one yeare, and further to fyne at the kynges wylle. The premysses not withstandynge, dyuers ydell and euyll disposed personnes haue not delysted nor forborne to take egges of faucons, goshaukes and lanerdes oute of the nestes, nor to take and steale deere, conyes, and rabettes, by daye and by nyghte, wherof many tymes haue ensued manslaughters and other greate hurtes and inconueniences, and the encreases of the sayde kyndes of hawkes within this realme bene in maner dystroyed, and the prices of the sayde conyes and rabettes, (whiche be one of the commodyouse vytayles of this realme, moche enhaunced, to the common hurte and preudyce of all the kynges subiectes of the same: Be it therfore ordeyned and enacted by auctorite of this presente parlyamente, that yf any persone or persons after the feast of the natiuitie of our lady sayncte Marye nexte commynge, vnlawfullye or wrongfullye take or cause to be taken any egge or egges of anye Fawcon or Goshawke or lanerde, or the byrdes of anye fawcon, goshawke, or lanerde, oute or frome anye neste or nestes of anye Fawcon, Goshawke, or lanerde, within anye wodde, grounde, or place of anye other persone or persones within this realme, that the same offence and offences, and euery of them, shall be adiudged and taken to be felony. And the offendour and offendours therein, beynge therof lawfully conuicted and attayned, shall haue and suffer peynes of deathe, and shall loose and forfayte theyr goodes and catalles, landes and tenementes, as in cases of felonye, by the course of the common lawes of this realme.

¶ Be it also enacted by auctorite of thys presente parlyamente, that yf anye personne or personnes, after the sayde feaste of the Natiuitie of oure Ladye nexte commynge, at anye tyme of the daye, that is to saye, betwene the tyme of the arrysynge of the Sonne, and goynge downe of the same, with hys face hydde and couered with hoode or bylar, or with hys faace paynted, or hym selfe other wyse dysguysed, to the intente that he wolde not be knowen, wrongefullye take, kylle, or slee anye deere within anye parke or closed grounde vsed for deere, or with anye haye, or other nette, or with anye fyrrette or pursenette, anye of the Conyes or rabbettes beynge within anye parke or grounde clooseed for mayntenaunce or keppynge of deere, or in anye place beynge lawfull warren, excepte it be suche personne or personnes, as hathe, or shall haue

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the keppynge, or be mayster of the game of such parkes or groundes closed for deere, or that haue or shall haue the sayd conyes and rabettes in ferme, or shalbe lawfully licensed so to do. Or yf any person or persons at any tyme of the nyght, that is to say, betwene the tyme of goyng downe of the sunne and arysynge of the same, take kyll or slee any deere, within anye parke or closed grounde for deere, or with any hay or other net, or with any heyet or pursenet any of the conyes or rabbettes in any parke closed groud or warren, as is aboue wrytte, except it be such person or persons, as hath or shall haue the kepping, or be mayster of the game of such parkes or closed groudes for deere, or that haue or shall haue the sayde conyes and rabbettes in ferme, or shall be lawfully lycenced so to do: that all such offences & euerye of them, shall be adiudged and taken to be felonye, and the offendour and offendours therin beynge therof lawfullye attaynted, shall haue & suffer such peynes of death, and shall lose and forfaute theyr goodes and catalles landes and tenementes as in cases of felonye by the course of the common lawes of this realme.

¶ Prouyded alwaye and be it enacted by the auctoritie aforesayde, that no maner of person or persons, shall hereafter be made demed or taken by any maner of meane, as accessory or accessories to any offendour or offendours, in any thynge aboue wrytten, but onely suche persone & persons as shall hereafter abette or procure any person or persons to cõmyt or do any of the sayd offences aboue wrytten contrary to this acte, whiche persone and persones so abettynge or procurynge shall (after suche offence done) by auctoritie of this acte be adiudged demed and taken as accessory or accessories, in lyke maner as in cases of felony at the common lawe.

¶ Prouyded alway that any word article clause sentẽce forfayture peyne or punyshment in the actes aboue wrytten declared, shall not in any wyse extend to any person or persons, that shal hunt take kyll or slee any conyes or rabbettes, by daye or by nyght, contrary to this acte, in any chaces forestes or warrens of the kynges, the Queenes, the Prince, or of any other persons, set, lyuinge, and beynge within the kynges dominion of Wales, or in the borders agaynst Scotland (The forest of Snowden in Wales onely excepted) any thynge aboue wrytten notwithstandynge.

¶ Prouyded also and be it enacted, that this acte or any thynge therin cõteyned, extende not to any person or persons, whiche shall not be lawfully dited or appealed of any of the offences aboue wrytten, within one yere after any such offence committed or done, this acte or any thynge therin conteyned to the contrary not withstandynge.

¶ Prouyded alway that this acte or any thynge therin conteyned, extend not to any parke or enclosed ground vsed for deere heretofore had or made without the graunt or lycence of our souerayne lord the kyng, or of any of his noble progenitours, or otherwyse not alowed or approued of record, nor to any groudes hereafter to be emparked or enclosed for deere, by any of the kinges subiectes, nor to any groundes, not nowe vsed as a warren,

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for or of any copyes at this present tyme, nor to any person or psons being freholder, copyholder, lessee for terme of yeres, for terme of lyfe, or any estate of inheritaunce, for or in any wyse concernyng takyng kyllyng or sleynge by any maner of meane, of any copyes or rabettes, in or vpon any bury within his owne ground or soyle, or elswhere within the same his ground or soyle beynge no bury, with bowe arowe ferret or pursenet: any thynges before in this acte rehersed to the contrarye in any wyse not withstandinge.

¶ An acte concernyng Sainctuaries, priuileges of churches and churchyardes. Cap. xii.

THe kynges moste royall maiestie callynge to his most blessed remembraunce, howe that many ydell and euell disposed persons within this his realme, & in other his graces dominiõs, nothynge regardynge the feare of god, nor the punyshment of the kynges lawes, heretofore haue done, and do dayly committe and perpetrate wylfully, as well great sondrye and detestable murders robberies, and also other greate and heynouse offences, to the greate displeasure of almighty god, to the subuertion of all good and politike order: wherynto such malefactors are partly instigated and moued, and the more bolde and wyllyng so to offende, by certayne lycentiouse priuileges & other liberties heretofore graũted to diuerse places and territories within this his realme, cõmonly called sainctuaries, to which such wylfull offendours heretofore haue had refuge & tuition of theyr lyues & bodyes, after the sayd myscheuous offences perpetrated and done, from the iust and cõdigne punyshmẽt of his graces lawes, both contrary to the expressed word of god, & the cõmon tranquillitie of this his graces realme, & the publyke welth & suretie of ỹ same. Wherfore his grace of his accustomed goodnes neither mynding the encouragyng, nor continually mayntenyng of such myscheuous & wylfull malefactours and offendours, neyther agayn the vtter abolishment and extinguyshment of all sanctuaries, and the priuileges of the same, very expedient and conuenient to be had and continewed in euery commõ welth, by the lawe of mercy, for some causes and offences: The kynges hyghnes is contented and pleased, that it be enacted by his hyghnes, with the assent of the lordes spirituall & temporall, and the cõmons in this present parlyament assembled, and by auctoritie of the same, that all maner of sanctuaries, & places priuileged, whiche heretofore haue ben vsed reputed or taken for any maner of sanctuary, except parysh churches, and theyr churchyardes, cathedrall churches, hospitalles, and churches collegiate, and all chapelles dedicated, vsed as paryshe churches, and the sanctuaries to them & euery of them belongynge, and except such places and territories, as hereafter shall be declared appointed & named to be places of tuition and priuilege by this present acte, shalbe vtterly extinguyshed, adnulled, voide, and of none effecte, for anye suche libertie or priuilege

uilege of ſaintuaries, to all purpoſes and intentes. Any lawes, licences, eſtatutes, cuſtomes, pꝛiuileges, pꝛeſcriptiõs, allowãces, oꝛ any other thing oꝛ thinges heretofoꝛe vſed oꝛ admitted to the contrary not withſtanding.

¶ And furthermoꝛe ꝯ kinges royall maieſtie of his accuſtomed goodnes merty & benignitie is pleaſed & cõtented, that it be enacted by auctoꝛitie of this pꝛeſent pliament, that frõ henſfoꝛth theſe places & territoꝛies herafter expꝛeſſed & declared, ꝯ is to ſay, Welles in the coũty of Somerſet, Weſtm Manchester, Noꝛthampton, Noꝛwich, yoꝛke, Derby, & Lanceſton, ſhalbe from henſfoꝛth admitted, alowed & takẽ to be places of pꝛiuilege & tuition foꝛ terme of lyfe, of & foꝛ all & ſingular offenders & malefactoꝛs, of what ſo euer qualitie kynd oꝛ natures all & euery their offences be oꝛ ſhalbe, foꝛ the which their ſaid offences & crimes, ꝯ peines & puniſhmẽt of deth ſhuld enſue by the ſtatute lawes oꝛ cuſtomes of this realme, other thã ſuch as here after by this pꝛeſent act be expꝛeſſed & foꝛpꝛiſed, that is to ſay that it be enacted by thauctoꝛitie afoꝛeſaid, ꝯ frõ henſfoꝛth the ſayd paryſh churches oꝛ churchiardes, cathedꝛal churches hoſpitals churches collegiate, & al other chapels dedicated, vſed as pyſhe churches, oꝛ any of thẽ, noꝛ ꝯ cemitoꝛies to thẽ oꝛ any of thẽ belonging, noꝛ ꝯ ſaid places & territoꝛies beꝛe in this pꝛeſent act reherſed & declared foꝛ places of refuge & tuitiõ, ſhal not in any wiſe extend to gyue any maner tuition defence immunitie libertie oꝛ pꝛiuilege to any maner of perſon oꝛ perſons, which at any tyme hereafter ſhall perpetrate cõmit oꝛ do any maner of wilful murder, oꝛ which ſhal cõmit oꝛ do any rauiſhmẽt of oꝛ to any womã oꝛ which ſhal cõmit any maner of burgulary, oꝛ which ſhal cõmit oꝛ do any maner of robbery in the high way, oꝛ nere vnto ꝯ ſame, oꝛ to any perſone, which ſhal cõmit oꝛ do any robbery in any houſe, putting the owner, his wife, childꝛẽ, ſeruãtes, oꝛ any other pſon within the ſame, in feare of life. And alſo excepted & foꝛpꝛiſed all felonious burninge of houſes oꝛ barnes with coꝛne, & alſo all robberies of churches, chapels oꝛ other halowed places. And alſo foꝛpꝛiſed & excepted all & ſyngular abbettoꝛs pꝛocurers & coũſelloꝛs to any of ꝯ foꝛſaid offẽces beꝛe ſpecified & excepted beꝛe the ſaid offences cõmitted & done. And alſo excepted & foꝛpꝛiſed all other offenders, cõmittinge oꝛ perpetratinge any offences, where ſainctuarie oꝛ clergie is not allowable by the lawes of this realme, oꝛ where ſainctuarie oꝛ clergie is takẽ away by any foꝛmer ſtatute oꝛ lawe.

¶ And be it further enacted by auctoꝛitie afoꝛſaid, that if at any tyme here after, any perſon oꝛ perſons do take any refuge oꝛ ſaintuary in any paryſh church oꝛ churchyard, cathedꝛall church, hoſpitall, church collegiate, oꝛ other chapel dedicate cõmonly vſed as pariſh churches, oꝛ in ꝯ cemiterye to any of them belonging, foꝛ any offence, other than ſuch as be excepted and foꝛpꝛiſed by this act, that thã the ſaid perſon oꝛ pſons ſo taking ſaintuary and refuge, ſhall & may abyde & remayn there by the ſpace of .xl. dayes, as hath ben heretofoꝛe vſed, vſing him ſelf in all pointes, accoꝛding to the lawes and ſtatutes of the realme: oneleſſe the coꝛoner in the meane tyme repaire vnto him foꝛ the taking of his abiuratiõ: in which caſe vpõ repaire

¶ of

of the ſayd cozoner, he ſhall & may abiure after the lawes and eſtatutes of this realme, to any of the ſayd territozies and pzíuileged places befoze na-ined, not beyng full of the nombze, as hereafter to euery of the ſayd places by this acte ſhall be appoynted, there to abyde & remayne during his lyfe, vſyng hym ſelfe in ſuch lyke ozder, condicíõ & facion in all thinges & poin-tes, as heretofoze hath ben ozdzed & appoynted by the ſtatutes & lawes of this realme, foz & cõcerning ỹ good ozder of ſaintuary perſons to be obſer-ued vſed & kept within pzíuileged ſaintuaries, oz els to loſe the benefite of their ſaid pzíuilege, & vpon the penalties compzíſed in the ſayde eſtatutes. ¶ And it is further enacted, that yf the cozoner of the ſhyze oz place, where any perſon oz perſons ſhall take any refuge oz ſaintuary in any of the ſaid churches oz churchyardes, cathedzall churches, hoſpitals, churches colle-giate, chapels dedicate cõmõly vſed as pariſh churches, oz any cemitozies to them oz any of them belõging, vpõ reſonable requeſt to him made, do re-ſuſe to come in cõuenient tyme vnto ſuch perſon beinge in ſaintuary, as a-foze is ſayd, there to take his cõfeſſion & abiuratiõ, accozding to the lawes of this realme: that than the ſayd cozoner foz euery ſuche default ſhall loſe and fozfayt to our ſouerayn lozde the king. C.s. ¶ And be it further enac-ted by thauctozitie afozſaid, ỹ the Chancellor of Englãd foz ỹ tyme beyng within the ſpace of one yere nert folowyng, ſhall haue power & auctozitie by this act, to award ſeueral cõmiſſiõs vnder the kinges great ſeale of En-glãd, vnto ſuch diſcrete perſons, as he ſhal thinke mete by his diſcretiõ, to make pambulatiõs, & to apoint ſet fozth & limit certainly how far & where the boundes & limites of euery of the ſayde pzíuileged places & territozies befoze reherſed, ſhall extende, & that the ſame boundes & limites ſo by the ſaid cõmiſſioners to be ſet fozth limited & apointed, ſhalbe retozned vnder the ſeales of the ſayd cõmiſſioners into the kinges court of chancery, there to remayn of recozde foz the certain knowlege of the boundes & limites of the ſaid pzíuileged places & territozies. And ỹ after the ſame limitatiõs ſo to be made & retozned, the ſaid pzíuileged places apointed by this act ſhall ſerue & be alowed onely within ỹ ſame limites & boũdes ſo returned, & not els where within the reſidue of the city oz towne where ſuch limites ſhalbe appointed. ¶ And further be it enacted by thauctozitie afozeſaid, that in euery of the ſaid pzíuilege places & territozies ỹ officer oz gouernoz of the ſayd pzíuilege place & territozy by the kynges hyghnes to be appointed, & euery of them, foz the good gouernãce & ozdzing of the ſame places & terri-tozies, ſhal dayly call oz cauſe to be called by hym ſelfe oz his deputie, all & euery of the ſayd pzíuiledged perſons in euery of the ſaid places & territo-zies by theyz names, and yf any of the ſayd pzíuileged perſons do make de-fault at .iii. ſeuerall days togyther, and do not perſonally appere at any of the ſayd .iii. days, hauing no lawfull excuſe to the cõtrary, that than euery ſuch pzíuileged perſon, makinge defaut of his apparance, as is afozeſayd, ſhall loſe & fozfayt the pzíuilege of all and euery of the ſaid pzíuileged pla-ces and territozies. Any thing in this acte to the cõtrary not withſtãding.

And

¶And further it is enacted, that yf any of the sayd abiured or priuileged persons, within the tyme he shalbe in any of the sayd priuileged places or territories as a priuileged man, fortune to committe perpetrate or do any maner of felony or other offences, for the which the penalite of deth shuld ensue by the lawes and statutes of this realme: that than euery such offendour shall for euer lose the benefite and priuilege as wel of the sayd place, as of all other priuileged places & sayntuaries before named: any thinge in this acte to the contrary not withstandinge.

¶And it is further enacted by thauctoritie aforesayd, that there shall not be at any one tyme aboue the nõber of the sayd priuileged persons, hereafter to be admitted & receyued into any one of the sayde priuileged places & territories aforesaid. And that yf any person hereafter do abiure to any of the sayde priuileged places & territories, accordinge to the puruey of this acte, the person so abiuring shalbe vsed conducted conueyed and brought from constable to constable directly, accordynge to the order of the lawes heretofore vsed, for the conducting of abiured persons to their ports, after their abiurations, vntyll suche tyme as the sayde persone so abiuringe, be brought to the gouernour of the sayd priuileged place, whervnto he shall so be abiured, or to his deputie. And yf at the bringinge thither of the sayd abiured person it shall apere and be truly declared by the regester there to be kept of the names of the said priuileged persons, than being in the said priuileged place, that the sayd priuileged place is than full of his sayd nõbre of the said priuileged persons being than there lawfully priuileged, accoding to the puruewe of this acte: than the sayd gouernour of the sayde priuileged place or his deputie, shall declared and shewe vnto the sayd abiured person, so beynge brought thyther, & to the said officer that bringeth and conduceth hym thyther, that the sayd abiured person may not be there receyued, for that that the sayd priuileged place is than all redy full of his sayd numbre, and therupon shall commaunde the sayde constable or other offycer, to conducte leade and delyuer the sayd abiured persone, to the constable or other offycer or offycers of the nexte towne, accoding to the said priuileged place, ledyng directly towardes the next of the sayd other priuileged places or territories: And the same abiured person so to be delyuered from constable to constable offycer or offycers of euery township, tending toward ỹ same next priuileged place, vnto such tyme as the same person be thyther cõducted, & there delyuered to remayne, as is aforesayd. And ỹ the gouernour of the sayde priuileged place, where suche refusell was had, or his deputie, shall make an entre in the sayd regester of ỹ hole matter, that is to say, what day and yere the sayd abiured person was brought thyther vnto hym, and by what offycer, and for what cause he dyd refuse the receyuyng of hym, & to which of the other sayd priuileged places the sayd abiured person was from thense appoynted to be brought & cõueyed, & shal before the departure of the said abiured person, deliuer to him a true copy of the said entre, to thintẽt he may deliuer the same to the gouernor of ỹ sayd

other priuileged place, to the which he shall be conducted and brought, or to his deputie. And that the sayd gouernour of that same priuileged place yf that same place be not than full of his nomber, as is afore rehersed, shal receyue the sayde abiured person, vpon the syght of his sayd bill, there to remayne durynge his lyfe, as a priuileged persone, accordinge to the puruewe of this estatute. And that lyke order and fashion be always obserued and kepte for the conductinge and conueyeng of all abiured persons from euery of the sayd priuileged places beyng full of theyr sayd nomber, at the tyme of the bringing thyther of any suche abiured person to the next other of the sayd places, vntyll suche tyme as the sayd abiured persone receyued into one of the sayde priuileged places, not hauyng his full nomber, accordynge to the puruewe of this acte. And that euery gouernour of the sayde priuileged places beynge negligent, and not doyng his duetie, according to the puruewe of this acte. And euery constable and other of the kynges officers, refusyng to receyue or to cõducte such abiured person, as is afore sayd, shall forfayte and lose to our sayd soueraygne lorde the kyng for euery of theyr defautes in that behalfe. xl.s.

¶ Prouyded alwayes, that this acte nor any thynge therin cõteyned, shall extende or be taken to minisshe or appaire, or to augment or inforce the priuilege or libertie, whiche any person or persons haue already take claimed or obteined in any place or places within this realme heretofore vsed allowed or admitted for places of saintuarie priuilege or tuition: but the same to stande for them in lyke force and effecte, neyther better nor worse than it was before the makinge of this acte, any thinge herein conteyned to the contrary hereof not withstandinge.

¶ An acte concerninge the brede of horses of hygher stature. Cap. xiii.

FOrasmoche as the generation and brede of good and stronge horses within this realme, extendeth not onely to a greate helpe of defence of the same, but also is a greate commoditie and profite to thinhabitantes therof, whiche nowe is moche decayed and diminished by reason that in forestes chaces mores marysshes hethes commõs and wasted groundes within this realme lyttell stoued horses and nagges of smalle stature, & of lyttell value, be not onelye suffred to pasture and fede therbppon, but also to couer and leape mares feding there, wherof commeth in maner no profyt nor commoditie. For reformation wherof, and for thincrease and brede of better and stronger horses hereafter to be had within this realme. Be it enacted by ꝑ kyng our souerayne lorde, the lordes spirituall and temporall, and the commõs in this presente parlyament assembled, and by auctoritie of the same, that no commonour or commonours within any forreste, chace, more, marysshe, heathe, common, or waste grounde, nor anye offycer or offycers of or within

within any of the sayd forestes or chases, nor any other person or persons what so euer he or they be at any tyme after the last day of March, whiche shalbe in the yere of our lorde god a thousand fyue hundred & thre & forty, shall haue or put to pasture in to or vpon any suche grounde forreste chase more marishe hethe cõmon or wast grounde, any stoned horse or horses, beinge aboue the age of two yere, & not beynge of the altitude and heyght of fiftene handefulles, to be measured from the lowest part of the houe of the forfoote vnto highest part of the wither, & euery handfull to conteyne .iii. inches of the standerde, to pasture fede or be in or vpon any of the sayd forestes chases commons mores marishes hethes or wast groundes within any of the shyres and territories of Norff. Suff. Cambridge, Buck. Huntyngdon, Esser, Kent, Southamshyre, Northwylshire, Orforde, Barks. Worcester, Glouceſter, Somerset, Northwales, Southwales, Bedforde, Warwyke, Northhampton, yorkeshyre, Chesshyre, Staffordshire, ỹ coũtie of the cytie of yorke, the towne and liberties of Glocester, the county of the towne of Kyngston vpon Hull, the county Palantine of Lãcastre, ỹ coũty of Salop, Leicester, Herefordе, and Lyncolne, or within anye of them, nor shall put to fede or pasture anye stoned horse or horses, beynge aboue the sayd age of two yeres, and not beyng of the altitude & heyght of fourtene handfull to be measured, as is abouesayd, within or vpon any lyke groũd or groũdes as ben aboue wryten, lyeng or being within any other shire of this realme. nor within any of them, vpon peyne of forfayture of the sayd horse or horses, whiche shall be so founde in or vppon anye suche grounde forrest chase more marysshe hethe common or waste grounde, at anye tyme after the sayd laste daye of March, whiche shalbe in the sayd yere of oure lorde god, a thousande fyue hundred and thre and forty, contrarye to the fourme of this estatute. And it shalbe lawfull to euery person and persons that shall fynde any suche horse or horses, contrarye to the fourme of this estatute, to seise the same in maner and fourme folowing, that is to say, the sayd person or persones so fyndynge any horse or horses, contrarye to this acte in any forrest chace cõmon more marishe hethe or wast ground within the sayd shires or other limites aforesaid, or in any of them, shal first go vnto the keper or kepers of the same forrest or chace, or to his deputy or deputies, or to the constable, baylyffe, heedborough, borsholder, or tithynge man of any townshyppe nerte adioynynge vnto the sayde place, where the sayde horse or horses shall be: And shall commaunde, or requyre hym or them, or anye of them, in the kynges behalfe, to go with hym or theym, to brynge euery such horse or horses, as he or they shall thynke to be there fegynge and goinge, contrary to this estatute, to the nert pounde, and there the sayd horse and horses to be measured by any of the same officer or officers, in the presence of the other honeste men to be named and appoynted by the sayde officer, and yf it so be founde, that the same horse or horses be contrary to this acte, that than it shalbe lawful to euery such person & persons that so shal chalenge & sease the sayd horse or horses as before is said,

to take and reteyne the same horse and horses, and euerye of them, to his owne vse, as his owne proper goodes and cattalles for euer, without lette interruption, veration, suite, or trouble of the owner or owners of them, or any of them, or of any other persone or persons.

¶ And it is further enacted by the auctoritie aboue sayd, that yf anye of the sayde kepers, theyr deputye or deputies, baylyffes, constables, hedboroughes, bursholders, or tythynge men, or any of the sayd thre other honest men, which shall be required to be at the measuringe of the sayd horse or horses, as is before sayde, do refuse to do, as is aforesayde, or els do not truely measure such horse and horses, that then euery such baylyffe, keper, deputie or deputies, constable, hedborough, bursholder and tythyng man, and the sayd thre honest persons to be named, as is aforesayd, and euery of them not doinge, and refusinge to do his or theyr duety in the prempsses: shall forfayte and lose. xl. s. for euery tyme so refusyng to do, or not doyng as is aforesayd, the one halfe therof to be to our soueraygne lord the king, and the other halfe therof to be to the partye that wyll sue for the same, in any court of our soueraygne lorde the kynge, by byll, or playnt of det, infor mation, or otherwyse, in which action none essoyne, wager of lawe, or pro tection, shall be admitted or allowed.

¶ Prouided alwaye that this acte shall not extende to any stoned horse or horses, that shall happen ones in any yere after ꝑ sayd last day of March, to breke escape or go out of any seuerall pasture or ground, agaynst ꝑ wyll and mynde of the owner or possessour of suche horse or horses, in to anye of the said forestes chaces mores marishes hethes commons or wastes grou des, so that the sayd horse or horses, so breakinge escapinge or goyng out, do not remayn or abyde in the said forestes chaces mores moryshes hethes commons or wastes groundes, or any of them, by the space of foure dayes nexte after sufficiente and open notice and knowledge gyuen at the dwel lynge house of the owner of the sayd horse or horses, or after open publica tion therof made, vppon a sondaye, or other festiuall daye, in the paryshe churche, where the owner or possessour of suche horse doth dwell.

¶ And be it further enacted by thauctoritie aforesayde, that all forestes, chaces, commons, mores, maryshes, hethes, and wastes groundes within this realme of Englande and Wales, and the marches of the same & euery of them, shalbe dyuen at the feast of saynt Michaell tharchaungel next cõmyng, or within. xv. dayes than next after, & so yerely to be dyuen by the lordes owners or possessours of the sayd forestes chaces, or by the officers of the same, and by the cõstables, hed boroughes, bayllyffes, burseholders, and tythynge men, within whose offices and precinctes and limittes, the commons mores marishes hethes and wast groundes, beynge oute of fo restes and chaces, be or lye, vpon peyne of. xl. s. to be forfayted to our sayde soueraygne lorde the kinge, by euery of the sayd officers, baylyffes, consta bles, hedboroughes, borsholders, and tythyng men, as often and at euery tyme, as ꝑ said dyct shalbe omytted or left vndone, or not effectually done

within

within.xb. dayes after the sayde feast of sayntMichaell tharchangell, as is afore sayd. And it shall also be lawfull to the sayd lordes owners & possessioners of the said forestes and chaces, by theyr officers of the same, and by the constables baylyffes hedborroughes borsholders and tythyng men, and euery of them, within the lymittes of theyr offices, to make lyke dyfte of the sayd forrestes, chases comens mores marysshes hethes & wast grounds at any other season and tyme of the yere, whan so euer and as often as they shall thynke mete and conuenient.

¶ And furthermore be it enacted, that yf in anye of the sayd dyftes there shalbe founde any mare fylly foole or geldynge that then shalbe thought not to be hable nor lyke to growe to be hable to beare fooles of reasonable stature, or not hable nor lyke to growe to be hable to do profitable labours by the discretions of the dyuours aforesayd or of the more nomber of the, than the same dyuour or dyuours shall cause the same vnprofitable beastes, and euery of them to be kylled, and the bodyes of them to be buryed in the grounde, or otherwyse bestowed, as no noyance therby shall come or growe to the people, there neere enhabitynge or thyther resortynge.

¶ And it is further enacted by the auctoritie of this presente parlyament, that the Justices of peace in euery shyre, ryddyng, and other place in their quarter sessions to be kept and holden by vertue of the kynges commissiō of the peace to them directed, and all stuardes of letes and lawe dayes in the same letes and lawdayes, shall haue auctoritie by this acte to enquire of all defautes contemptes omissiōs and offences, contrary to the effectes aboue wryten, and euery of them. And all presentmētes therof to be found in any of the sayd lethes and lawdayes, shalbe certifyed by the stuarde or deputy, stuarde or courtholder of the same lete or lawdaye in the next generall sessions of the peace to be holden in the countie where such presentmēt shalbe founde or had, or vnto the Custos Rotulorū of the same shyre, within.xl. dayes nexte after that presentment made, whiche Justices of peace in their quarter sessions of peace shall haue power and auctoritie by this acte to here ad determyn euery such presentment before them selfes found, or in any of the sayde letes or lawdayes to be presented and certified, as is aforesayd, aswell by examination as other wyse, and yf any suche stuarde, deputie, stuarde or courteholder aforesayd imbesyll or conceale anye suche presentmente, or do not certifie the same as is afore wryten, euery of them so offendynge, shall forfayte and lose for euery suche offence.xl. s. Thone halfe of euerye suche forfayture, and of euerye other of the forfaytures afore wrytten, to be to the kynge oure soueraygne lorde, and the other halfe to the persone or persones that wyll sue for the same, before the sayde iustices of peace in theyr sayde quarter sessions by byll or informacion, whiche iustices shall haue full power and auctoritie by vertue of this acte to here and determyne euery such offence aswell by examination as otherwyse as is before mencioned.

¶ And be it further enacted by thauctoritie afore sayd, ꝑ no person or per-

ſones, after the feaſte of ſaynt Michaell tharchaungell nexte commynge, ſhall haue or put to paſture any horſe, geldynge, or mare infecte w̄ ſcabbe or mange, in to or vpon any of the ſayde foreſtes chaces mores maryſhes, hethes commens waſte groundes, or common feldes: vppon peyne to forfayte for euery horſe geldynge or mare ſo infecte, paſturynge in any of the ſayd groundes, ten ſhyllynges, whiche offence ſhall be inquirable and preſentable before the ſtuarde in euerye lete, as other common annoyſances be. And the forfayture therfore to be to the lord of the ſame lete, where the ſayd offences ſhall be preſented.

¶ Prouyded alwaye, that this acte or any thynge therin conteyned, ſhall not extende nor be preiudiciall to any perſon or perſons, haunynge any ſtoned horſe or horſes, vnder the heyghtes and altitudes aboue mēcioned, for or concernyng the haunynge or puttynge any of the ſayd horſes to fedynge in or vpon any common or other waſte groundes where any mares or fyllies be not vſed nor ſuffred to be fedde paſtured or kepte.

¶ An acte for mayntenance of the Nauy of Englande, and for certayne rates of freightes. Cap. xiiii.

FOr aſmoche as it is euidentlye and notoriouſly knowen, that the more parte of this oure ſoueraygne lorde the kynges realme of Englande, and the confynes and dominions of the ſame, is and ben compaſſed and enuyroned by and with the greate ſees, ſo that neyther the kynges liege people and ſubiectes of this his ſayde realme, nor yet anye others of anye forein realmes or countreies can or maye conueye or tranſporte theyr wares goodes marchandiſes and commodities vnto and from the ſayde realme, by ouer or alongeſt the ſayde ſees, but onely by ſhyppes. And where the nauy or multitude of ſhyppes of this realme in tymes paſte hathe bene and yet is verye profitable requiſite neceſſary and commodious, aſwell for the entercourſe and concourſe of marchātes, tranſportinge and conueieng their wares and marchandiſes, as is aboueſaid, and a great defence and ſuretie of this realme in tyme of warre, as well to offende as defende, and alſo the mayntenance of many maſters maryners and ſee men, making them expert and conninge in the arte and ſcience of ſhypmen and ſaylynge, and they, theyr wyues and chyldren haue had theyr lyuynges of and by the ſame, and alſo hath ben the chiefe maintenance and ſupportation of the cyties townes villages hauens and crekys nere adioynynge vnto the ſee coſtes, and the kinges ſubiectes, bakers, bruers, bouchers, ſmithes, ropers, ſhipwrightes, tailours, ſhowmakers, and other vitailers and handye craftes men, inhabitinge and dwelling nere vnto the ſayd coſtes, haue alſo had by the ſame a greate parte of theyr lyuynges, and the ſame nauy and multitude of ſhippes is nowe of late meruellouſelye appaired and decaied, and by occaſion therof not onelye a greate multitude of the kynges liege people, whiche

therby

therby had they? lyuinge, be nowe minished & empouerysshed, but also the townes byllages & inhabitations nere adioyning vnto the see costes, ben vtterly fallen in ruine & decaye. For reformation wherof it was ordeyned and enacted by a statute made in ỹ fyft yere of the reygne of ỹ ryght noble kyng Richarde the second, that none of the kinges liege people shuld shyp marchandise in any other shyp than in an englysh shyp, vpon peyne of for faiture of the sayd marchãdise so shipped. And after that by one other estatute made in the sixt yere of the sayd moste noble king, it was enacted that for defalte of englysh shyppes euery mã might ship their marchandises in straungers shippes. And after that at a parlyamẽt holdẽ at Westminster the fourthe yere of the late noble kinge of famouse memory kynge Henry the. viii. it was ordeyned and enacted, that no persone shulde cary or bringe any wines of Gascoigne or Guien or Tolose wade, into England, Wales Irelande, Caleys, or the marches therof, or Barwike, but all onely in shippes of England Wales Ireland Cales or marches therof, or Barwike, & that the master & maryners of the same shippes, or the most parte of them, shulde be of the same countreis, vpon peyne of forfaiture of the same wine and wadde. And after at a parliament holden at Westm̃ the fiftene day of January, in the. xxiii. yere of the most noble reigne of oure nowe souerayn lorde, kynge Henry the. viii. it was ordeyned and enacted, that the sayde estatutes, & euery thing in them cõteined, shuld stand in their full strength force and effecte. So that from thensefoorth no persone shulde attempte to do contrarye to the tenours of any of the sayde estatutes, vpon the peynes conteyned in the same, as in the same estatutes is more plainly expressed & declared, yet not withstanding diuerse and sondry persons, not regarding the mayntenance of the sayd naupe, nor yet the commodities and profites cõmynge and growyng vnto this realme by occasion of the same, for their owne syngular lucre & aduauntage, haue not feared nor dradde to offende the sayd lawes and good ordenaunces. Wherfore the kinges maiesty hauing great zeale and tender respecte vnto the common wealthe of this his realme, willeth that it be enacted by thassent of the lordes spirituall & temporall, & the commons in this present parlyament assembled, and by thauctorite of the same, that the sayd estatutes, & all and euery thynge in them conteyned, be stande and continewe in they? full strength force and effecte: So that frõ henseforth no person or persons shal attempt to do any thing contrarye to the tenoures and effectes of the sayd good and laudable estatutes, vpon the peynes in the same conteyned and expressed.

¶ And be it further enacted by the auctorite aboue sayd, that from henseforth the owners maysters and pursers of Englyshe shyppes or other vessels, hauing the same they? shyppes or vessels at the port and hauen of the ryuer of Thamys at London, and beynge mynded purposed or agreed to take any freight or ladyng at the same porte into any of the sayde shyppes or vessels, and from thense to sayle with the same directly vnto any of the parties of beyonde the see hereafter named, expressed, and specified, or to

any

any hauyn porte or rode of charge or discharge: Or hauing the same their shyppes or vessels at any of the sayde parties of beyonde the see, and beynge cõtented mynded agreed or purposed to take any frayght or lading from any of the same places of beyonde the see directly vnto the sayd port or hauen of the sayd ryuer of Thamys at London, or to the rode of charge or discharge of the same, shall not at anye tyme hereafter by any maner of meane, take or receyue anye more or greater somme or sommes of money for the frayght transportatiõ conueyance or cariage of any wares goodes or merchandises in their shyp or shyppes vessell or vesselles into or frome anye of the sayde hauens or rodes of charge or discharge, but onelye suche somme or sommes of money, & after the rate quantite and facion, as hereafter in this present acte is mencioned and declared.

¶ Fyrst for the frayght of euery wollen clothe shypped from London to Flaunders. viii. d. flemmish, and a pece of flemmish money called an Englyshe for lodemanege, and for primage of euerye fardell of wollen clothe greate or smalle. iiii. d. flemmysh.

¶ Also from Flaunders to London for the freight of euery fardell of the byggest sorte. xx. s. sterl. discending downewarde to. xvi. s. xiii. s. iiii. d. x. s. or. viii. s. after the rate and quantitie of euerye suche ferdell, as the owner shypmayster or purser can agree.

¶ Also for the freight of a maunde of the byggest sorte. vi. s. viii. d. sterl. and so discending downewardes after the rate and quantitie of euery such maunde, as the marchaunt and owner shypmayster or purser can agre.

¶ Also for the freight of a dyre fatte of the byggest sorte. vi. s. viii. d. sterlynge, and so discendinge downewardes after the rate of euery suche dyre fat. as the marchaunt and owner shipmayster or purser can agree.

¶ Item for euery case of veluet, conteyning. xiiii. peces veluet. v. s. Item for a bale of sayes of. vi. fote hyghe. v. s. Item for a bale of fustian. xx. d. Item for a bale of chamlet. xx. d. Item for a bale of Coleyn hempe or threde ii. s. Item for a bale of madder. ii. s. Item for a bale of almondes. ii. s. Item for a butte of currãtes. iii. s. iiii. d. Item for a barrell of nayles. ii. s. Item for a thrusslynge cheste. ii. s. Item for a suger cheste. ii. s. Item for a tonne of yron. ii. s. Item for a hoggeshed of proines and dates. xx. d. Item for a bagge of pepper lowse. xx. d. Item for euery hundreth hoppes. vi. d. Item for a flaskette of sope. iiii. d. Item for peces of brasell as they be of bygnes, for euery pece. i. d. with all auerages lodemanage and primage of olde tyme accustomed in Englyshe shyppes.

¶ Item from London to Daunske the owner of euery shyppe shall haue viii. d. sterlinge, for the freight of euerye brode wollen clothe frayghted to Daunske, & for euery set clothe. iiii. d. sterling. Item for euery rolle packe or maunde of cony skynnes. xviii. s. sterlinge, and soo discendinge downewardes after the byghnes of the rolle or maunde as the marchantes and owners haue ben accustomed to agree. Item for prymage of euery fardell towarde Daunske. iiii. d. sterlinge.

From

¶ Frō Dauntske to Londō for euery last of wheate and rye.xxvi.s.viii.d. Item for euery packe or two halfe packes of flare. xxx.s. Item for euerye packe of canuas.xxx.s. Item for euery last of pytch and tarre,accompting xviii.barelles for a last.xii.s. Item for a last of ashes,accompting.xviii.barelles for a last.xi.s. Item for euery last of osmondes accompting.xviii.barels for a laste.viii.s. Itē for euery.xxiiii.bundelles of bowstaues.xxvi.s. viii.d. Item for euery neste of compters.xviii.s. Item for euerye laste of faggottes of pyon. iii.s.

¶ Item for euery fatte of sturgeon.ii.s. Item for euery fatte of eeles.ii.s. Item for euery cage of yeles.iiii.d. Itē for euery sacke of fethers, weyeng xx.C.weight, euery. C.xviii.d. Itē for euery straw of wax of.xvi.C.weight xiii.s. Item for lodemanage of euery last of the sayd marchādises. vi.d. sterlynge.And for the primage of euery laste.iii.d.sterlynge.

¶ Item frō Burdeux to London for euery tonne wyne at the fyrste vintage, accomptynge two pypes. iiii. hoggesheades, or. vi.terses for a tonne xviii.s. Itē for the freight of euery tonne wine at the racke vintage.xvi.s. Item for euery Toloses wadde,accomptng. viii.hole bales, or.xvi.di balettes for a tonne.xx.s.with lodmanage and primage,and all auerages of olde tyme accustomed after the olde vse and custome of englysh shyppes.

¶ From London to Byskay outwarde and homewarde, the marchantes which take frayght in any shyppe shall haue for euery. v. tonnes, a fardell of wollen clothe,conteynng.xviii.hode clothes frayght free, and to paye for euery cloth laden besydes in the same shyppe.lxi. maruadies, whiche is xi.d.and the thyrde parte of a peny sterlynge:And for euerye tonne homewardes.xiii.s. iiii.d. And for primage & lodemanage of euery tonne. vi.d. sterlynge,with all auerages accustomed,after the olde vse and custome of englyshe shyppes.

¶ From London to all portes of Portingale and sowth Spayne on this syde the straites for the frayght of euery packe or fardell of.xvi. hode clothes.ii.duckettes of. v.s.sterling the pece.Alwayes prouided that the marchant that taketh frayght in any shyppe frayghted from the sayd porte of London, to any of these places, shall haue for euery. v. tonne frayght one fardell or packe of.xv.hode wollen clothes freyght free. And for primage and lodemanage of euery fardell. v.d.ob.sterling,with all auerages,after the olde vse and custome of englyshe shyppes.

¶ From Cauple Aymountey and Lepe for ỳ frayght of euery tonne marchandises to London.xx.s. sterlynge, and.vi.d,sterlynge for lodemanage and prymage, with all auerages accustomed, after the olde vse & custome of englyshe shyppes. Also for the fraight of euery tonne marchaundyses fraighted to sayntē Lukeis de Baromeda,sayntē Mary porte,the baye of Candyr towardes London (pesterable wares onely excepted) .xxi.s.sterl. And for lodemanade and prymage. vi. d.sterl, with all auerages of olde tyme accustomed,after the olde vse and custome of englyshe shyppes.

¶ Also the fraight of euery tonne marchandises from the crane of Ciuile

directly

directly to London (peſterable wares onely excepted). xiii. s. ſterlynge. And for paymage and lodemanage. vi. d. ſterlinge, with all auerages accuſtomed after the olde vſe and cuſtome of Engliſhe ſhyppes.

¶ Alſo for the fraught of euery tonne marchandyſes frō Malaga to London (peſterable wares only excepted). xv. s. ſterlyng. And for paymage and lodemanage. vi. d. ſterlinge of euery tonne, with all auerages accuſtomed after the olde vſe and cuſtome of Engliſhe ſhyppes.

¶ And further be it enacted by thauctoritie aforeſayd, that yf any owner mayſter or purſer of ſhyp or veſſell of this realme or the dominions therof or any of them beynge frayghted vnto or from the ſayde hauen or porte or the riuer of Thamys, or any of the places aboue reherſed do exacte or take of any marchant or his factour ſeruant or any of them, any other more or larger fraight or ſommes of money in the name of fraight, than is aboue limitted & appoynted by this acte, or otherwyſe infringe or breke the ſame acte or any thynge therin conteyned: that than euery ſuch perſon and perſons ſo offending contrary to the forme of this eſtatute, ſhall forfayte and loſe double ſo muche as he or they ſhall ſo receyue and take, ouer & aboue the rate and ſommes before reherſed, the one halfe therof to be to our ſoue raygne lorde the kyng his heyres and ſucceſſours, and the other halfe ther of to be to any ſuch perſon or perſons that wyll ſewe for the ſame by action of det byll information or otherwyſe in any of the kynges courtes of record: In whiche action no eſſoygne protection ne wager of lawe ſhalbe allowed or admitted in any of the courtes aboueſayd.

¶ Prouided alwayes, that this acte ne any thing therin conteyned or ſpecifyed, conteynynge the ſayd rates or ſommes of the frayght before reherſed, ſhall not extende to bynde or charge any owners mayſters purſers or mariners of any ſhyp or veſſell for the frayghtynge or ladyng therof into or from any porte or hauen within this realme of Englande, other thanne the ſayd porte of London, in maner and fourme before ſpecifyed.

¶ Prouided alſo and be it enacted by thauctoritie aforeſayd, that at what tyme any warre ſhall happen to be moued or had betwene this realme of England and any other exterior potentates foreyn pryncis theyr realmes or ſubiectes, or betwene any other outwarde kyngdomes or dominiōs, by occaſion and meanes wherof the ſayd owners ſhalbe more charged for the furniture of theyr ſhyppes and veſſelles, aſwell with victayles more nombre of men and artillery, for the ſure conducting conueyance and tranſportation of the marchādiſes goodes and wares laden in the ſame, that than it ſhalbe lawfull to the ſame owners, to receyue take and haue ſuche more and greater ſomme or ſommes of money, ouer & aboue the rates aforeſaid for the fraight of theyr ſhyppes and veſſelles, as the marchantes and they ſhalbe agreed vpon: any thinge or thinges conteyned and lymitted in the ſayd rate ſpecified in this preſent acte, or any other thynge in the ſame acte conteyned to the contrary therof in any wyſe not withſtandinge.

¶ Prouided alſo & be it enacted by the auctoritie aboueſaid, that if at any

tyme

any time hereafter it shalbe cōcluded couenāted bargeined cōdiscēded or agreed betwene any marchātes their factors & seruātes or any of them, & any owner master or purser of any ship or vessel of this realm, or the dominions of the same, that any such owner master or purser be cōtented to receiue take & haue any lesse sūme or sūmes of money, vnder the rates abouesaid, for the fraight of their shyps & vessels, as abouesayd: that thā euery such cōclusion couenāt bargein cōdiscent, & agremēt shall stand & be good & effectual: any thyng or thinges limited in the said rate specified in this p̄sent act, or any other thing in the same act cōteined to ẏ cōtrary in any wise not wstanding.

¶ And where also oure said souerain lord the king of his owne bounteous lyberal mind, & princely discretion now of late hath cōmanded, that no person nor persons being strāgers or denizens, conueieng or transporting any goodes wares or marchādises in to any port creke or other place of this realme, or out of the same, shuld for a certain time pay any other more or larger custome and subsidy than his gacis louing and naturall subiectes thā vsed and were accustomed to do and pay at that present tyme (custome and subsidy for wolles only excepted) sens which cōmandement so giuen & knowen, sundry greuous complaintes haue ben made aswell to the kinges maiesty as also to his most honorable counsell by dyuers of his gracis louing subiectes, that the marchantes estrangers and their factours hauing excedyng benefite profite and commodity by reason of the sayd cōmandement, haue done and do daily lade and conuey their goodes wares and marchandises boughte within this realme, from and out of the same, in and vpon strangers shippes of other realmes, in suche number at sundry portes hauens riuers and places of this realme, and the dominions of the same, that the owners of shyppes their maisters mariners seemen shipwrightes, and great multitude of other his gracis subiectes be greatly impouerisshed, to their extreme losses & damages, wherby no lytle detrimēt & decay hath & is lykely to ensue to the sayd nauy of this his gracis realme of England & the dominiōs therof. For reformation wherof his royal maiesty of his most excellent wysdom and policy forseing the discōmodity aswel of his sayd nauy as of the people, & with most godly mynd intending aswel the comon welth of his gracis said nauy and people, as also the successe & effect of his said cōmādmēt doth enact by his most royal assēt, & by the assēt of the lordes spiritual and temporal & of the cōmons in this present ꝑliamēt assēbled, & by the auctoritie of the same, ẏ frō hensforth al & euery person & ꝑsons that is or be strāgers or aliens borne out of this realme of Englād, or in any other place out of our said souerain lord the kinges obeisance, being denisens or not denisens, their factors attorneis ministers & seruātes, ẏ at any tyme hereafter do lade or shal cause to be laden any wares goodis or marchādises, of what kind nature or qualite so euer it shalbe, in any ship botom or vessel of this realm of Englād, cōmōly callid an englishe ship botom or vessel, durig ẏ time in ẏ said ꝓclamation cōteined shal not be cōpelled to pay or cause to be paid any other custome or subsidy, but onely according to the said proclamation.

And incase that any stranger or alien borne out of this realm of England, or other oure sayd souerayne lorde the kynges obeysance, being denisen or not denisen, at any tyme hereafter frayght or lade, or cause to be frayghted or laden any shyp botome or vessel of any stranger or outlandyshe person, with any wares or marchandise from this realme of Englande to any outwarde parties: that than the same stranger or alien shal contente and pay, or cause to be contented & paide to the kyng our souerayn lord, his heires & successours, all suche and lyke customes and subsidies as strangers & alyens borne in other realmes haue vsed to pay, accordyng to the ancient customes vsages & lawes of this realme of England: Any thing in this present act, or in the said proclamation conteyned to the contrary therof in any wise not withstandyng. ¶ Prouided alwayes, that if there be no such shyp or vessel of this realme of Englande or the dominions of the same, at or in the porte haun or place where the sayd strangers aliens or denisens their seruantes or factours wolde frayght and lade their wares and marchandises toward the outward regyons, that than if ỹ sayd strãgers or denisens their factors attorneys or seruantes before he or they do lade fraight or conuey the same goodes wares cõmodities or marchandises in to any strange or strangers shippe or vessell, do notifye and declare the same lacke or want of the same englishe ships and vessels vnto the lorde hygh admyrall of Englande for the tyme being, or his lieutenant deputy or deputyes, if that any of them be resyant at or in the same porte or place of ladyng: or if the sayd lorde hyghe admiral, ne any suche his lieutenant deputy or deputies be not resiant at or in the sayde porte, or place, than if they make notise or declaration therof to the customer and comptroller of the same porte or hauen, or to their deputy or deputies, and do obteyne or cause a certificat to be made vnder the seale of hym, to whome suche notyce and declaration is made, of lacke of Englysh shippes, as is abouesayd: that than it shalbe laufull to the strangers and denisens their factours and attourneis, for lacke and wantyng of the sayd englishe ship and vessels, to frayght and lade their sayd wares & marchandises in any strange ship or vessell at that tyme being in the same port or hauen, and to pay none other subsidyes & customes therfore, but as the englishe marchantes being the kynges natural subiectes, do vse and ought to do by the lawes & customs of this realm of Englãd: any article or clause to the cõtrary therof in this present act conteined in any wise not wstanding. ¶ And further be it enacted by auctority aboue said, that all & euery owner and owners maister and maysters and other gouernours of Englysh shippes or vesselles or any of them, myndyng & intending to make any voyage or sayling, from the porte of London in to the parties beiond the sees with his or their shyppe or vesselle, shall make publike notice and declaration of his or their sayd mynde and intente of sayling and voyage in wryting, and affix the same writyng vnto some post or other open place or places in Lumberde strete, there to remayne by the space of seuen dayes, declarynge in the same wryting, to what place or port he or they shal so intend to saile or make

his

his or they? voyage, and of the name of the shippe and shippes, in the whiche he or they intende to sayle, to thentent that marchantes may haue perfytte knowledge to prepare such wares as they or any of them wil haue cōueyed into such parties beyonde the sees: And also that the said owner & owners maister and maisters & other gouernours, or any of theym, intende or make his or their departure from the said port of London after the fraightyng or ladyng of the same shyppe or ships at such tyme & as sone as wynd and wether wyll serue, accordynge to the chart partie to be made betwene the sayd owner or master and the marchantes, without protracte of tyme.

¶ And it is also enacted by thauctorite abouesaid, that the said owner and owners maister and maisters and other gouernor or gouernors of shippes and euery of them, to his or their power, and forasmoche as in him or them shalbe, shall se and prouide, that all wares and marchādises, whiche shalbe by the said marchantes their factors or seruantes, or any of them, brought into any shippe or vessel, shalbe honestly and in good order saued and kept.

¶ Prouided alway and be it enacted by thauctorite abouesayd, that if any marchant straunger or other fynde hym selfe agreued or damnyfied by negligent kepyng of the sayd marchandises or wares, or by long delayeng or protracting of the tyme in taking the voiage by the said owner his factour maister or any the maryners of the sayd ship, otherwise than shalbe agreed betwixt the said marchant his factor atturney or seruant & master or owner in or by the sayd chart partie (not being letted by wynde or wether) shal and may haue his remedy by way of complaynt before the lord admyral of Englande for the tyme being his lieutenant or deputie, ayenst the sayd owner or owners mayster or maysters gouernour or gouernours, or his or their factour or factours: whyche lorde admyrall for the tyme being, his lieutenant or deputie, shall and may summarily and without delay take suche order and direction therin, as shalbe thought to his or their dyscretions most conuenient, and accordyng to right and iustyce in that behalfe.

¶ Prouyded alway that this acte or any thynge therin conteyned, extende not to gyue any liberte licence benefit auctorite profit or aduantage by any maner of meanes, to any person or persons born out of this realm of England, or any other our souerayne lord the kynges dompnions, of or for the shippyng transporting conueying or carieng of any maner of wolles or felles, out of the said realme, and other his highnes dominions, or for any longer time or terme thā in the said proclamation & cōmandment is expressed & declared: any thyng in this present act to the contrary not withstandynge.

¶ PROVYDED alwayes and be it enacted by thauctorite aforsayd, that this acte ne any thing therin conteyned extende or be in any wise preiudiciall or hurtfull to the marchantes of Hanse in Almayn, haupnge the house in London commonlye called Guyhalda Theutonicorum, otherwyse called the Stylyard, but that they and euery of them may do in al thinges and in all places as they and euery of them shulde or myght haue done before the makyng of this act, & as though this acte had neuer ben had ne made: any

thyng in this act conteyned to the contrary in any wise not withstandyng. So that the same marchantes do onely lade in suche bottoms vessels and shyppes, as belonge to and be of their owne portes territories and domynyons pryuyleged, or in englyshe bottoms vessels or shippes: and for lacke of the same englyshe shyppes or bottoms, than they or euery of them may lade in any strange bottoms vessels or shyppes, after suche lyke forme and maner, as they myght do before the makyng of this acte: any thynge conteyned in the same to the contrary not withstandyng.

¶ Prouided alway, that the lorde Admirall, nor his deputie nor deputies shall in any wyse intremitte ne meddle with the lyberties of the. v. portes & the membres of the same, to execute any auctorytie or iurisdiction to him grãted by vertue of this act, but that the warden of the sayde. v. portes for the tyme being or his deputie, shal or may by thauctorite aforsaid, haue & enioy al suche auctorities iurisdictions and lyberties within the sayd. v. portes & membres of the same, as ben graunted to the sayd high admyral by vertue of this acte within any other porte or place within this realme, any thynge within this present act to the contrary in any wise not withstandyng.

¶ An acte concernyng archbyshops byshops their chancellours cõmissaries archedeacons and theyr offycials to be in the cõmission of the acte concernyng thabolition of erronious opinions in chrysten religion. Cap. xv.

VHERE IN the parlyament holden and begon at westm the. XXVIII. day of Apryl, in the. XXXI. yere of the reigne of our most drad souerayne lorde kyng HENRY theyght, and there contynued vntyl the. XXVIII. day of June than next folowyng, amonges dyuers other thynges a godly act was made, by auctorytie of the same parlyament, touchyng the abolyshment of dyuersitie of opinions concernynge chrysten religyon, and for the fulle and effectuall execution of the same acte, it was than and there enacted by the same auctorytie, that immediately after the. xii. daye of July than nexte folowyng, dyuers and sundry commissions shuld be made from tyme to tyme into euery shyre within this realme and wales, and into suche other places withm the kynges dominions, as shoulde please his maiestie to be dyrected to the archebyshop or byshop of the dioceses, and to his chauncellour or commyssary, and to suche other persons as shuld be named by the kynges hyghenesse, or by suche other as his maiestye at his pleasure shoulde appoynt to name the same. whiche archbyshoppe or byshoppe his chauncellour or commyssarye, and other personnes so to be named, or thre of them at the least, wherof the archebyshop or byshop or his chauncellour or commissarye to be one, shoulde holde and kepe theyr sessyons within the lymittes of their cõmyssion. iiii. seuerall tymes of the yere at the least or oftener, yf they shulde thynke it expedient by their discretions,

and

and shulde haue power and auctoꝛyty by vertu of the sayd act, & their sayd cõmission, aswel to take informatyon and accusatyon by the othes and deposytions of two able and lawfull persons at the least, as to enquire by the othes of twelue men, of all and syngular the heresies felonyes contemptes and other offences mencyoned and declared in the same acte committed done oꝛ perpetrated within the limites of their commission, as by the same act among other thynges therin conteyned moꝛe at large it dothe and may appere. And foꝛ so moche that aswel the diocese of the see of Yoꝛke as other dioceses within this realme, ben very wyde and large, extendynge into dyuers shires, & ben diuided into seueral riddynges wapentakes & sokes, & in euery one of them ben & heretofoꝛe vsually haue ben particular cõmissions foꝛ the peace, & also in diuers of the said dioceses ben diuers peculiar iurisdictions of oꝛdinary powers, by reason wherof the archbishops & bishops chancelloꝛs oꝛ cõmissaryes, oꝛ any of them, being of the quoꝛum, in the said commissions concernyng chꝛisten religion, made accoꝛding to the said acte, can not conueniently be at suche sessions, as necessaryly ben to be holden by vertue of the same cõmissions, by cause of the longe distance of the places, where these sessions ben to be holden within the sayd dioceses, accoꝛding to the tenour of the sayd acte. Wherby dyuers of the same sessions haue bene omitted oꝛ differred, contrary to the true meanyng of the sayd acte. Foꝛ reformation wherof be it enacted by the kynge our souerayne loꝛde, with the assent of the loꝛdes spirituall and temporal, and the cõmons in this pꝛesent parlyament assembled, and by auctoꝛitie of the same, that in al and syngular cõmissions hereafter to be made within this realme, wales, oꝛ other the kynges dominions from tyme to tyme concerning the pꝛemisses, there shal be assigned to be cõmissioners with the archbyshop oꝛ byshop chancellour oꝛ cõmissary, the archedeacons & officials of euery dioces and archedecons iurisdictions, and such other person oꝛ persons as it shal please the kinges highnes oꝛ the chauncelloꝛ of England foꝛ the tyme being to name and appoynt to be of the quoꝛum, which said archbishop oꝛ byshops chancellours cõmissaries & officialles of archedecons, & such other person & persons so to be named by the king our souerain loꝛde, oꝛ by the chancelloꝛ of Englande foꝛ the tyme being, shall haue by foꝛce of this acte, and of suche commission to them hereafter to be made and directed, the same and like power and auctoꝛitie, to do and execute all thynges declared in the sayde acte and statute to all intentes and pourposes, and in as ample and large maner and foꝛme, as the sayd archbyshop byshop chancellour and commissary oꝛ any of them, may oꝛ ought to do by vertue of the sayd foꝛmer act oꝛ commission to them made oꝛ directed.

¶ And ouer that be it enacted by auctoꝛitie aforesayde, that all and euerye commission and commissions hereafter to be made and directed to any archbysshop byshoppe chauncellour commissarye archedeacon and officiall of archedeacon, oꝛ to any of theym, foꝛ the execution of the pꝛemysses, by the same names of dygnite oꝛ office, that is to say, archebyshoppe byshoppe

Chancellour cõmissary archedeacon and officiall of archedeacon, or of any of them, omyttyng & leauing out their christen names and surnames, shall be good and effectuall in the lawe, to all intentes and purposes. And that they and euery of them, and euery successour of euery of them, in euery suche dignitie and office, shall haue by the same name of dygnytie or office, full power & auctority to here and determine, to award & execute al thinges conteyned in euery suche commission to them dyrected, in lyke maner and fourme as they myght haue done, if they had ben named by their christen names and surnames with additions of their dygnities or offices fully expressed in the same commission: And that euery suche commission shall extende and be executed aswell within euery peculiar iurisdiction and place priuileged, or haunge lyberties or fraunchises (and beinge noo shire in it selfe) beinge or lyeng within the diocese and shyre or other lymitte specified in any suche commission, as els where without the same.

¶ An acte concernynge straungers. Cap. xvi.

THE KYNGE OVR MOST dradde souerayne lorde, callynge vnto his blessed remembraunce the infynite noumbre of straungers and aliens of foreyn countreys and nations, which dayly do encreace and multiply within his gracis realme and dominions in excessiue numbres, to the great detriment hinderance losse and impouerysshment of his gracis natural true lieges and subiectes of this his realme, and to the great decay of the same, remembring also the manifold good actes and statutes, which haue ben here to fore made, as well by his most noble progenitours, as by his owne most royall maiesty for reformation of the same, in diuerse and sundrye parlyamentes, that is to wyte: Fyrst, in the fyrst yere of the reygne of kynge RYCHARDE the thyrde, where it was enacted, that no person, not borne vnder the same kynges obeysance, nor made denysen, takyng vpon hym to be an artificer or handy craftes man, shuld take nor occupy any house or chambre within this Realme, nor abide or remayn in the same, nor soiorne with any strange person, not being borne vnder the obeisance of the same kinge, as is aforesayd, nor exercise or occupy any craft or manual occupation within this same realme: but that suche strangers shuld depart from this same realme within a certayn tyme appoynted by the sayd estatute, oneless they were reteined in seruice to or with any subiectes or lieges of the kyng only, which were expert in the craftes or occupations, vnder peyn to forfayte all theyr goodes. And that no person, not beinge borne vnder the sayd kynges obeysaunce, nor made denysen, beinge an artificer or handye craftes man, shuld make any clothe within this realme. And also that no such stranger shuld selle any wares within this realme, but only in grosse, and not by retayle, vnder peyn of forfayture of the sayd wares. And more ouer, that no person, not being borne vnder the sayd kynges obeysaunce abidyng in any

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house or chambre within this realme occupying any handy craft after a cer tayn tyme in the sayd acte lymitted, shulde take any seruaunt to worke with hym, except it were his sonne or doughter, or elles one of the subiectes of the sayd kynge, and borne vnder his obeysaunce, vnder peyn to forfayt for euery suche defaulte .xx.li. as in the sayd act amonges other thinges more plainly appereth. And wher also in the .xiiii. and .xv. yere of the reygne of our sayde soueraygne lorde the kynge that nowe is, it was enacted that no straunger borne out of his gracis obeysance, were he denisen or not denysen, vsynge any handy crafte or occupation within this realme, shulde take any apprentyce, excepte the same apprentyce were borne within his gracis dominions and obeysance, vppon peyn to forfayt forevery such apprentyce so taken. x.li. And that also no straunger or alyen borne, vnder lyke peyne vsing any handy craft within this realme, after a certayne tyme lympted in the said act, shuld take or haue any iourney man or couenant seruãt, except such iorney man or couenaunt seruaunt were borne vnder his gracis obeysance. And that all maner of alyens borne, as well being denysens, as not beinge denysens, inhabiting within the citie of London or a certayne space about the same, shuld be vnder the serche and reformation of the wardens of the felowshyps of handy craftes within the sayde citie of London, as in the sayd estatute amonge other thynges more plainly appereth. And where also in the parliament of our sayd souerayne lord, holden at westm in the xxi. yere of his most gracious reigne, it was enacted among other thinges, that no straunger shulde kepe any mo seruantes straungers but onely two at one tyme, and that all denisens than made, or after to be made, whiche wolde inhabyte within the sayde citie of London, or within a certayne circuite of the same, and wolde there keepe any house, or occupye any crafte or occupatyon, shoulde be contributory to and with the kynges gracis subiectes of the same crafte or occupation, within the sayde cytie of London, payenge berynge and sustaynynge suche charges of the same craftes menne, as in the same acte is conteyned: And that they shulde also present theym selfes at the common halle or meetynge place of the sayde craftes in the city of London, and there to take a corporall othe before the maister and wardens of the same craft, to be true to our sayd souerayne lord the kinge and his heires. And also that no straunger artificer or handy craftes man, borne out of his graces allegiance, not being denisen, shuld set vp or kepe any house shoppes or chambers, wherin they shuld exercise any handy crafte or mystery, within this realme, vppon lyke penalities as ben mencioned in the sayde former estatute. And that also no stranger nor denysen, not beinge borne within this realme, shulde assemble in any company felowshyp congregation or conuentycle, but only in the comon halle of their craftes with his gracis subiectes of the same crafte, vpon lyke peine, as is aforesayd, as in the said actes and statutes among many other thynges more plainly appereth. All which good holsom and benefitial actes and statutes ben in maner infringed frustrated and defrauded, chiefely by the meanes of dyuers

letters

letters patentes obteyned by the crafty ſuttes inuentions and practiſes of ſuche ſtraungers lately made denyſens in great nombre, whithe letters patentes do conteyn, that euery ſuche denyſen ſhalbe as free as englyſhe men naturally borne within the kynges graces dominions and obeyſance, any actes or ſtatutes made or to be made to the contrary not withſtandyng: by reaſon wherof the ſayd denyſens refuſe to obey and perfourme ſuche orders and directions, as in the ſayd former eſtatutes were limitted preſcribed and declared, aſwel to and for ſuch ſtrangers borne out of the kinges obeiſance, as at that tyme were made denyſens, or that after ſhuld be made denyſens, to the great hyndrance and decay of the handy craftes men beinge the kynges graces naturall lieges and ſubiectes. For reformation wherof, the kynges moſte royall maieſtie is contented and pleaſed, that it be enacted by his moſt gratious highnes, the lordes ſpiritual & temporal, & the cõmons in this preſent parliament aſſembled, and by auctorite of the ſame, that al maner of ſtraungers borne out of his graces obeyſaunce, whiche heretofore haue ben made denyſens, or that hereafter ſhalbe made denyſens, from and after the firſt day of September next comming, ſhall be bounde and obedient by & vnto all the foreſayde actes & ſtatutes, and to all the contentes of the ſame, and to al other actes & ſtatutes of this realme heretofore made nowe being in thairforce & not repelled: Any letters patentes or ordinãces heretofore made or hereafter to be made, to the contrary therof in any wyſe not withſtandynge. And that alſo in all and euery letters patentes of or for the makynge of any denſen, from and after the laſte dayc of this preſente parliament to be made to any ſtraunger, not being borne vnder the kinges graces obeyſance, ſhalbe conteyned a prouiſo, that he or they, to whom ſuch letters patentes ſhalbe ſo made and graunted, ſhalbe bounden and obedyent by and vnto all the actes and eſtatutes of this realme, as is aforeſayd, and to all and euery the contentes of the ſame: Excepte it ſhall be the kynges moſte gracious pleaſure, to graunt to any ſuche alyen any ſpecyal lyberties or priuyledges, more or otherwyſe than is conteyned in the ſayde eſtatutes, And in that caſe al ſuche lyberties and priuyleges ſo to be granted to any ſuche alyen, contrary to the fourme of any of the ſayd eſtatutes, ſhalbe playnely holly and particularly expreſſed ſpecified and declared by ſpeciall wordes, as wel in the byll aſſigned with the kynges graces hande, for obteynynge of any ſuche graunte, as in the letters patentes to be made out of the chauncery, for and concernynge the ſame.

¶ AND FVRTHERMORE be it enacted by the auctorite aforeſayde, that no alyen or ſtraunger, denyſen or not denyſen, vſyng any handy craft, being borne out of the kynges gracis obeyſaunce, inhabytynge within the vniuerſities of Oxford or Cambridge, or within the precinct of ſaint Martyns le graunde in London, or within any other ſuche lyke places priuyleged, ſhall from the feaſt of ſaint Mychael the archangell next commyng, retayn haue or kepe in theyr ſeruice any apprentice iourneyman or ſeruant, being alyens borne out of the kynges obeyſance, aboue the nũmber of two

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persons at one tyme, vpon peyn & penalyte conteyned in the sayd act, made in the sayd. XIIII. and. XV. yeres of his gracis reigne: Any act or prouision heretofore made to the contrary in any wise not withstandynge.

¶ AND THAT IT BE ALSO enacted by the auctoryty aforesayd, that euery alyen and straunger, borne out of the kynges obeysance, not beynge denysen, whythe nowe or hereafter shall come in or to this Realme, or els where within the kynges dominions, shall after the sayd fyrst day of Septembre next commyng, be bounden by and vnto the lawes and statutes of this realme, and to al & singular the contentes of the same. And that none of the kinges subiectes shal reteyn or kepe togither at one time in his housholde, seruice or famylye aboue the numbre of foure straungers borne out of the kynges obeysance: nor that any alyen, beinge denysen, and vsynge no handy craft, shal reteyn or kepe in his houshold, seruyce, or famyly togither at one tyme aboue the said numbre of foure strangers, vpon pein that the offender and offenders contrary to this article, shal lose and forfayt for euery straunger borne oute of the kynges obeysaunce, reteyned and kepte aboue that numbre, ten pounde. The moytie of all whiche forfayture shall be to the kynges highnes, his heires and successours, and the other moyty therof to suche person or persons as wyl sewe for the same by original writ, byll, playnt, or informacion in any of the kynges courtes. In which suite none essoyne protection nor wager of lawe shall be admitted or allowed.

¶ PROVIDED alwaye, that this acte nor any thynge therin conteyned shal be hurtful or preiudiciall to such proclamation as the kynges maiesty hath publyshed and proclayned for & concernyng the payment of custome for strangers, graunted by the goodnesse of his maiestie to endure for certayne yeres, but that the same proclamation shall abyde be and remayne in the same plyght and strengthe that it is, and as yf this acte had neuer bene made: Any thing in this acte to the contrary therof not withstandyng.

¶ PROVIDED also, that euery lord of the parliament may kepe the numbre of. vi. straungers borne out of the kinges obeisance togither at one time: Any thing in this acte to the contrary therof not withstandyng.

¶ AND it is further enacted by auctority aforesayd, that all leasses of any dwellynge howse or shoppe within this realme, or any the kynges dominyons, made to any straunger artificer or handy crafte man, borne out of the kynges obeysance, not being denysen, from and after the sayd feast of saynt Michaell the archaungell nexte commynge, shall be voyde and of none effecte. And that no straunger artificer or handy craft man, borne out of the kynges obeysaunce, not being denisen, shall after the same feast, take any leasse of any dwellyng house or shoppe within this realme, or in any other the kynges dompynons, vpon peyne to lose and forfayt for euery tyme doinge contrary to this acte one hundred shyllynges. And that no person after the same feast, shall grant or let to ferme any dwellyng howse or shoppe to any suche straunger artificer or handy craftes men, not beynge denysen, to the entente to dwell or inhabyte in the same, vpon lyke peyne of one hundreth

dreth shyllinges. The moyte of which peynes and forfaytures to be to the kynge our soueraygne lorde, and the other moytie to suche as wyll sue for the same, in maner and fourme as in this acte is aboue expressed.

¶ An acte for paueynge of Algate to whyte chapell, high Holborne, Chauncery lane, Grayes ynnes lane, Show lane, and Feuther lane. Cap. xvii.

FOR AS MOCHE as the strete or way leadyng from Algate within the citie of London, to white chapell churche without the same gate, in the countye of Midd, The lane callyd Chauncery lane, and the way leadyng from the barres in Holborn west wardes toward saint Gyles in the feld And the lane called Grayes ynnes lane within the said coũty, And also the lane lyeng besydes saint Andrewes church in Holborn called Show lane, and also the lane called Feuther lane, beynge thoroughe fares and passages from Fletestrete into Holborne within the lyberties of the citie of London, be very fowle, and ful of pyttes and sloughes, very perillous and noyous aswel for al the kinges subiectes through and by them repairynge and passynge as well on horsebacke as on fote, as also with cariage: For the amendment and reformation wherof, it may please the kinges highnes, with the assent of his lordes spirituall and temporall, and of his commons in this his hygh courte of parliament assembled, and by the auctoritie of the same, that it may be ordeyned established and enacted, that al and euery person bodies politike and corporate, whiche nowe haue, or at any time hereafter shal haue any landes tenementes or other hereditamentes in fee symple, fee tayle, for terme of lyfe, or for terme of yeres, or by reason of the wardshyp of any heire, durynge the nonage of the same heyre or by execution, by writ of elegit, or for any estatute of the staple, lyenge and beinge betwene the sayd gate called Algate and white chapell church next adioynyng to the sayd high way, or nere adioyning to any of the said lanes or wayes, called Chauncery lane, Grayes ynnes lane, Showe lane, Feuther lane, and the way from the barres in Holborn west wardes to the farre ende of high Holborne, shall on this syde the feast of the natiuitie of saynt Johñ Baptist, whiche shalbe in the yere of our lorde god. M. D. XLII. well and sufficiently paue or cause to be paued with pauyng stone, the brydge at Holborne barres at the causey begynnyng at the same barres, vnto thende of high Holborne west wardes, as far as any habitation or dwellyng is on both the sides of the same streete: And also the causey or hygh way leading from Algate to white chapell churche: And the lane called chauncery lane from the barres besides the Rolles late made and set vp by the lorde Bryuy seale, vnto the sayd high way in Holborn: And the sayd lane called Grays ynnes lane from Holborne barres northwarde, as farre as any habytation

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is there: And also the lanes called Shoo lane and Feuter lane, euery man suche parte and quantite of the same causeis and lanes vnto the myddes of the same causeis and lanes, and euery of them in length, as his or their lãdes or tenementes do lye or extende, in like maner and fourme as the causey or high way leadynge from Strand brydge to Charyng crosse is made and paued: And also the lanes called Shoo lane and Feuter lane in euery p art of the same lanes as other stretes within the city of London be paued, with a canell in the myddes of the same lanes, vpon peyn euery persõ in his own defaulte, to forfeyte for euery yarde square of the same causeis and lanes, & of euery of them, not sufficiently paued before the sayd feast of saint Johñ baptiste. vi.ð. And that all and euery suche persons hauyng, or which here after shall haue landes or tenementes in fee symple, fee tayle, or for terme of lyfe, or otherwise as is aforesayd, adioynyng or lienge to and next either syde of the same causeis or lanes, or any of them, theyr heires, assignes, or successours, after and from the sayd feast of sainct John baptist, which shal be in the yere of our lorde god. M.D.XLII. shal yerely maintein and repayre the same pauementes and euery of them ouer agaynst his sayd landes and tenementes well and sufficiently from tyme to tyme, as often and whan as nede shall requyre at all tymes hereafter with pauyng stone, vpon peyne to forfait for euery yarde square not sufficiently paued. vi.d. as often as any such default of any person shall be presented before the iustice of peace within the sayd countie of Midð, for that parte of the sayd way beynge within the sayd countie of Midð, And before the maire and aldermen or iustices of the peace within the citie of London, for that which is within the liberties of the sayd citie.

¶ And be it further enacted by the sayd auctoritie, that the iustices of peax of the sayd countie of Midð, for the tyme beinge, shall haue full power and auctoritie to enquyre in euery quarter sessions, to be kept after the said feast of sainct John Baptist, by the othe of.xii.men of the sayd county, as well of thẽ that haue not paued such parte or portion of the sayd causeis & euery of them beinge within the sayd countie ouer agenst and alonge vnto the mid- des of the same causeis, as theire landes, and tenementes do lye extende or lyghe, as also of suche persons as haue ben remisse and neglygent in amen- dinge & repayring the same causeis from tyme to tyme, as nede shal require according to the meanynge of this act.

¶ And also be it enacted by the auctoritie aforesayde, that the Mayre of London aldermen and iustices of the peax of the same cytie for the time be- inge, shall haue lyke power and auctoritie by vertue of this act, to enquire, both in their quarter sessions and all wardemote enquestes to be kept with in the citie of London after the sayd feast of the natiuity of saint John bap- tist, by the othe of.xii.men of euery warde within the sayd city and liberties therof, as well of all such person and personnes, that from tyme to tyme as nede doth and shall requyre, haue not paued suche parte and proton of the stretes and lanes within the said citie and lyberties therof, and also within

all

all priuileged places beinge within the sayde cytie and lyberties therof. As also of all suche person and persons, as be remysse and negligent in amendinge and repayringe of the same stretes and lanes, and euery of theym, as often and whan as nede requyreth, accordynge to the purporte of this acte, vpon lyke peines and penalities to be assessed and asserid vpon the offenders within the sayd citie and lyberties therof in euery condition, as be lymitted before for them which do not paue & repayre the sayd causeis in Holbourne Chauncery lane, and without Algate. And that the sayd iustices of peace, within the sayd county of Midd̄, for the time being, within their iurisdictiō, shall haue full power and auctorite by their discretions to amerce and sette fines, vpon such persons as shalbe remisse and negligent or make defaut in the obseruynge of the tenour of this acte. And if the sayde iustices of peace within the sayd countie of Midd̄, or the maire and aldermen and iustices of peace of the said citie of London, at any their quarter sessions after the said feast of the natiuite of saint John baptiste, to be holdē and kept within the said coūty of Midd̄, by the iustices of peace of the same county, or the maire aldermen and iustices of peace of the cytie of London at any their quarter sessiōs or enquestes of wardemote kept within the city of Londō, be negligente and remysse on their parties to charge by othe suche persons to fynde and presente the sayde defautes and neglygence of all persons offendynge contrary to the meaning of this acte: Than the sayd iustices of peace within the sayd coūtie of Midd̄, being present at the same quarter sessiōs to lose and forfayte for euery tyme so neglectinge the sayd charge. C.s. And in like wyse the Mayre aldermen and iustices of pear of London for euery lyke default and neglectinge, to lose and forfayt. C.s.

¶ AND be it further enacted by the sayd auctorite, that the clerke of peace of the sayd countie of Midd̄, for the tyme beinge, shall from tyme to tyme certifie in to the kynges eschequer, as well all suche fynes and forfaytures so assyssed within the sayd county lost and forfayted before the said Justices of Midd̄, in to the kynges eschequer, to the vse of the kynges highnes and his heyres. And the barons of the sayde eschequer to make out proces by distresse, to be taken and leuied vpon the sayd landes and tenementes or otherwyse by their discretions, as well for ꝑ sayd fynes assised, as also for the said forfaytures and penalities before limitted. And if the clerke of the pear within the sayd countie of Midd̄, be remisse and negligent in makyng such certificat, or doing his dutie accordynge to this acte: than the same clerke to lose and forfayt for euery suche defaut. v.li. the one halfe to be to the vse of the kynges highnes, and the other halfe to the vse of any the kynges subiectes that wyll sue for the same in any the kynges courtes, by byll, action, information, or otherwyse, wherin no wager of lawe essoyne or protection shall lye for the defendaunt.

¶ And further be it enacted by the auctorite aforesayd, that the maire, aldermen, and Justices of peace within the citie of London and suburbes of the same, or .iiii. of them, wherof the maire to be one, by vertue of this acte

shall

shall haue ful power and auctoritie from tyme to tyme, to set fynes & amerciamentes on all and syngular persons, for not pauyng & repayring of any strete lane stretes or lanes, within the said citie or liberties of the same, whiche nowe be paued, or by force of this act hereafter shall be paued: and the same fynes & amerciamentes to be leuied by distresse playnt or action within the same citie, by the chamberlayn of the said citie for the tyme beinge, to the vse of the maire and comminaltie of the sayde citie and their successors, as other fynes and amerciamentes for any other matter or cause within the sayde citie haue ben vsed and accustomed.

¶ Prouided always, that if the inhabytantes of such landes or tenemẽtis do sufficiently repaire and paue before their mansions & dwellynge places, the sayd stretes lanes and causeys, that than euery such inhabytant by vertue of this acte shall defalke abate and retayne in his handes as moche of the rent due vnto his lessor, as he can proue to haue expended in and about the same pauynge, And the leassour for so moche money, as suche summe dothe amounte vnto, to haue no action reentre or other remedye for none payment of the same, onelesse it be otherwise agreed betwene them.

¶ An act for reedifieng of decayde houses in sundry townes and places of the realme. Cap. xviii.

FOR AS MOCHE as there haue ben in tyme paste dyuers and many beautifull houses of habitation within the walles and liberties of the cyties, boroughes, and townes of Yorke, Lincolne, Canterbury, Couentre, Bath, Chichester, Salesbury, Wynchester, Bristowe, Scarburgh, Hereford, Colchester, Rochester, Portesmouth, Poole, Lynne, Feuersham, Worcester, Stafford, Buckingham, Pontfret, Grantham, Excester, Ipswich, Southampton, great Yermouth, Oxẽford, great Wicombe, Gulford, Estredford, Kyngston vpon Hull, Newcastell vpon Tyne, Beuerley, Bedford, Leycester, and Barwyke, & now are fallen down, decayde, and at this day remayn vnreedyfyed, & do lye as desolate and vacant groundes many of them nygh adioynyng to the high stretes, replenyshed with moche vnclennes and fylth, with pyttes sellers and vawtes lyeng open & vncouered, to the great peryl & danger of thinhabitãtes and other the kynges subiectes passyng by the same: and some houses be feble and very lyke to falle downe, daungerous to passe by, whyche decayes are to the great impouerysshynge and hynderaunce of the same cyties, borowghes, and townes, It maye therfore please the kynge our soueraygne lorde, by the assente of the lordes spirituall and temporall, and the commons in this presente parlyamente assembled, that it maye be enacted by auctorytie of the same, that yf any person or persons, or bodies polityke, being owners or possessioners of any such desolate or voyd groũdes, that haue bẽ at any time wtin. xxv. yeres, imediatly past before the. xii. day of Apryll, in the. xxxi. yere of his maie-

ties regne, builded for houses of habitation, or of any other house or hou-
ses of habytation, nowe or hereafter being in decaye, and not fully fallen
down, wtin the lyberties or precinctes of any of the said cities boroughes or
townes, do not sufficiently reedyfy buyld & repayre, or cause to be reedifyed
buylded & repayred the said desolate voyd groũdes or decaied houses, cõue-
niẽt for habitatiõ & dwelling, wtin.iii. yeres next after proclamatiõ therof to
be made in or vpon the same void groũd or groũdes decaid house or houses
by the mayres, sheriffes, bailiffes or other heed officers of euery of the saide
cites boroughes or townes, by what name or names so euer they be incorpo
rated, euery of thẽ within the pcinct of theyr owne auctoritie: that thã it shal
be laufull to the lord or lordes, of whom such desolate void groundes, or de-
cayd or ruynous houses ben holden, after the saide thre yeres expyred, to en
tre into the same, & to haue the same groundes or houses to them & to theyr
heires or successors, to theyr owne pprye vses for euer: so ẏ the sayd lord or
lordes so entryng by auctoritie of this act, do sufficiently reedify buyld and
repayre the same void groũdes or decaid houses wthin.ii. yeres next & im-
mediatly folowynge the determination of the saide. iii. yeres. And in case
such lorde or lordes as may entre by this act, do not entre & wel and suffi-
ciently reedify buyld or repayre the same voyde groundes or decayde houses
within the sayd.ii. yeres to them limited by this act: that thã it shall be lau-
full to all such person or persons, or bodies politike, as shal than haue any
rent charge goinge seuerally out of any the sayd voyde ground or groun-
des, or decayde house or houses in any of the said cities boroughes or tow-
nes, immediatly after the said.ii. yeres expired, to entre into the same, and
to haue the same voyde groundes or decayed houses to them, theyr heires
or successours for euer, to theyr owne pprye vse: so that the sayd person or
psons or bodies politik, hauyng the said rent charge, entring by auctoritie
of this act, do sufficiently builde reedify & repaire the same desolate & voyd
grounde or groundes or decayed house or houses within one yere next and
immediatly folowynge the determination of the sayd.ii. yeres, to the sayde
lord or lordes apoynted by this act. And in case suche persone or persons or
bodies politike, hauyng the said rentes charges as may enter by this acte,
do not enter & wel and sufficiently reedify buylde & repaire the same voyde
groundes or decaid houses, within the sayd one yere to them appointed by
vertu of this act: that thã it shalbe laufull to the mayres, sheriffes, bailiffes,
or cõminaltie, or other heed officers of the sayde cities boroughes and tow-
nes, by what name or names so euer they be incorporate, or their successors,
euery of them within the limites of their auctorities, immediatly after the
said yere expired into euery such desolate or voyd groundes decayd or ruy-
nous houses to entre, & the same groũdes & houses & euery of thẽ, to holde &
enioy to them & their successors for euer clerely discharged of al rent going
out of the said groũdis or houses, aswel ageinst the said lord or lordes, as al
pson or psons, or bodies politike, hauing any such rẽt or rẽtes, as before is
said, so that the same maires, sheriffes, bailyffes, & cõminaltie, or other heed

offycers

officers as is aforesayd, or theyr successours, for the tyme being, doo reedify buylde or repayre, or cause to be reedifyed buylded & repayred, the same grounde and grounds, house or houses, within thre yeres next and immediatly folowyng the determination of the sayd yere, to such persone or persons, or bodyes polytyke, that shall haue any such rent as is aforesayd. And in case the sayd mayres, sheryffes, baylyffes, comminaltie, or other hed officers, as is aforesayd, or theyr successours, do not enter and reedify buylde and repayre the same voyde groũde or grounds, or decayde house or houses, in fourme before sayde, within the sayd terme of thre yeres, after theyr sayd entree: that than it shall be lawfull to the fyrst owner or owners, possessioner or possessioners of suche voyde grounde or grounds, or decayde house or houses, theyr heyres or successours, immediatly after te sayde thre yeres to the sayd mayres, sheryffes, baylyffes, comminaltie, or other heed officers, as is before lymitted, expired, into the same grounde or grounds house or houses, to reentre, and the same to retayne to them, theyr heyres or successours, as in theyr fyrst estate: any thynge conteyned in this present acte to the contrarye not withstandynge.

¶ Prouided always, that this present acte, nor any thing therin cõteined, be in any wyse preiudiciall or hurtfull to any person or persons, beynge at the tyme of ỹ sayd proclamatiõ made vnder the age of .xxi. yeres, or to any woman beyng maried, or to any person or persons beynge in prison, or beyond the see in the kynges warres, or in his other lawfull affayres, during such tyme as such person or persons shall be within age, maried, in prison, or beyonde the see: so that the same person or persons, after he or they shall come to the age of .xxi. yeres, or being not maried, out of prison, or come agayne within this realme, within thre yeres next ensuyng, doo reedify the same desolate or voyde grounde, or repayre the decayde houses.

¶ An other acte for reedifieng of decayde houses in sundry townes of the weste parties. Cap. xix.

For asmoch as in tymes past diuers & many beautifull houses of habitation haue ben within the walles & liberties of ỹ boroughes & townes of Shafton, Shireburn, Bytport, Dorchester, & Weimouth within ỹ coũtie of Dorset, & ỹ boroughes & townes of Plimmouth, Plinton, Barstable, Taunstock, & Dartemouth, within the coũtie of Deuonshire & the boroughes & townes of Lanceston, Lyskerde, Lestuthiel, Bodman, Truru, & Helston within ỹ coũtie of Cornwall, & the boroughes & townes of Brigewater, Taũton, Somerton, & Ilchester, within the county of Somers. & the borough of Waldon in the countie of Esser, and also the boroughe & shyre towne of Wark in the countie of Wark, whiche nowe are fallen downe, decayde, and at this tyme remayne vnreedifyed, lyenge as desolate and voyde grounde,

and many of them adioyning nygh vnto ỹ hygh stretes replenysshed with moche oꝛdure fylthe and vncleannesse wuh pyttes sellers and vawtes, lyenge open and vncouered, to the greate perylle and daunger of all the inhabytauntes and other the kynges subiectes passynge by the same: and some houses be very weake & feble ready to fall downe, & therfoꝛe dangerous to passe by, to the great decaye & hyndꝛaunce of the sayd boꝛoughes & townes. It maye be therfoꝛe enacted by the kynge oure soueraygne loꝛde by the assente of the loꝛdes spirituall and tempoꝛall, and the commons in this pꝛesente parlyamente assembled, and by thauctoꝛitie of the same, that yf any persone oꝛ persons oꝛ bodyes polytyke beynge owners oꝛ possessioners of any suche desolate oꝛ voynde groundes, that at anye tyme within fyue and twenty yeres next befoꝛe the making of this acte, haue ben buylded foꝛ houses of habitation, oꝛ of anye other house oꝛ houses of habitation, nowe oꝛ hereafter beynge in decaye, and not fullye fallen downe, within the lyberties oꝛ pꝛecinctes of anye of the sayd boꝛoughes and townes, do not sufficientlye reedifye buylde and repayꝛe oꝛ cause to be reedyfyed buylded and repayꝛed the sayd desolate voyde groundes and decayed houses conuenient foꝛ habitation and dwellynge, within thꝛe yeres nexte after pꝛoclamation to be made in oꝛ vppon the same voyde grounde oꝛ groundes decayed house oꝛ houses by the Mayꝛes, Baylyffes, oꝛ other heed officers of euerye of the sayde boꝛoughes and townes, by what name oꝛ names so euer they be incoꝛpoꝛated, euery of them within the pꝛecincte of theyꝛ owne auctoꝛities: that than it shalbe lawfull to the hyghe loꝛde oꝛ loꝛdes, of whome suche desolate and voyde groundes, decayde oꝛ ruynous houses be holden, after the sayde thꝛe yeares be expyꝛed, to entre into the same, and to haue the same groundes oꝛ houses to them and to theyꝛ heyres oꝛ successours to theyꝛ owne pꝛopꝛe vse foꝛ euer: so that the sayde loꝛde oꝛ loꝛdes entrynge by thauctoꝛitie of this act, do sufficiently reedify buyld oꝛ repayꝛe the same voyde groũdes oꝛ decayd houses within. ii. yeres next and immediatly folowynge the determination of the foꝛesayde thꝛe yeres. And in case suche loꝛde oꝛ loꝛdes as maye entre by this acte, do not entre & well and sufficiently reedify buyld oꝛ repayꝛe the same voyde groundes oꝛ decayd houses within the sayd. ii. yeres to them limited by this act: ỹ than it shalbe lawfull to all suche person oꝛ persons, oꝛ bodies polytike, as shall thanne haue anye rente charge goinge seuerallye oute of the sayde voyde grounde oꝛ groundes, oꝛ decayde house oꝛ houses in anye of the sayde boroughes oꝛ townes, immediatly after the said. ii. yeres expired, to entre into the same, & to haue the same voyde groũdes oꝛ decayed houses to them, and to their heires oꝛ successours foꝛ euer, to theyꝛ owne pꝛopꝛe vse: so that the sayd person oꝛ persons oꝛ bodies politike, hauing the said rent charge, entring by auctoꝛity of this act, do sufficiently reedify buyld & repayꝛe the same desolate and voyde grounde oꝛ groundes oꝛ decayed house oꝛ houses within one yere next and immediatly folowynge the determination of the sayd. ii. yeres, to the sayd loꝛde oꝛ loꝛdes appointed by this act. And in case

such

ſuch perſon or perſons or bodies polytike, hauing the ſaid rentes charges as maye entre by this acte, do not entre and well and ſufficientely reedyfie buylde or repaire the ſame voyde groundes or houſes decayde within one yere to them appoynted by vertue of this acte: that than it ſhalbe lawfull to the mayres baylyffes or comminaltie, or other heed officers of the ſayde boroughes and townes, by what name or names ſo euer they be incorporated, or theyr ſucceſſours, euery of them within the lymyttes of theyr auctorities immediatlye after the ſayd yere expired, into euery ſuche deſolate or voyde groũdes decayed or ruinous houſes to entre, and the ſame groũdes or houſes and euery of theym, to holde and enioye to theym and theyr ſucceſſours for euer, clerely diſcharged of all rentes, going out of the ſame groundes or houſes, as well agaynſt the ſayde lorde or lordes, as all other perſone or perſones or bodyes polytyke, haupnge any ſuch rent or rentes, as before is ſayde: ſo that the ſame Mayre, Baylyffes, and commynaltie, or other heed offycers as is aforeſayd, or theyr ſucceſſours for the tyme beynge, do reedifye, buylde, or repayre, or cauſe to be reedifyed buylded or repayred the ſame grounde or groundes houſe or houſes within thre yeares nexte and immediately folowynge the determination of the ſayde yeare to ſuch perſon or perſones or bodies polityke that ſhall haue any rente as is aforeſayde. And in caſe the ſayde mayres baylyffes commynaltie or other heed offycers, as is aforeſayd, theyr ſucceſſours, do not entre and reedifye, buylde, or repayre the ſame voyde grounde or groundes, or decayed houſe or houſes, in fourme aforeſayde, within the ſayd terme of thre yeres after theyr ſayde entre: that than it ſhall be lawfull to the fyrſte owner or owners poſſeſſioner or poſſeſſioners of ſuche voyde grounde or groundes or decayde houſe or houſes, theyr heyres or ſucceſſours immediately after the ſayde thre yeres to the ſayd Mayre, baylyffes, commynaltie, or other heed officers, as is afore lymytted, expired, into the ſame grounde or groundes to entre, and the ſame to reteyne to them theyr heyres and ſucceſſours, as in theyr fyrſte eſtate. Any thynge conteyned in this preſent acte to the contrary not withſtandynge.

¶ Prouyded alwaye, that this acte nor any thynge therin conteyned, be not in any wyſe hurtfull nor preiudiciall to any perſone or perſons, beyng at the tyme of the ſayde proclamation made, vnder the age of one and twentye yeares, or to anye woman beynge maryed, or to anye perſone or perſones beynge in pryſon, or beyonde the ſee in the kynges warres, or in his other lawfull affayres, durynge ſuch tyme as ſuch perſone or perſons ſhall be within age, maryed, in pryſon, or beyonde the ſee: ſo that the ſame perſone or perſons, after that he or they comme to theyr playne age, be vnmaryed, out of pryſon, or come agayne within this realme, within thre yeres nexte enſuynge, doo reedyfye the ſame deſolate or voyde groundes, or repayre the ſayde decayde houſes.

¶ An acte concernyng priuileges and fraunchises. Cap. xx.

Where dyuers and sundry scytes circuites and procinctes of late monasteries abbathies priories nunries colleges hospitalles and other ecclesiasticall and religious houses and places, and dyuers honours castels manours messuages landes tenementes liberties priuileges fraunchises, and other hereditamentes, by dyuers and sundry statutes here tofore made, bene assigned lymitted and appoynted to the order rule suruey and gouernaunce of the court of our souerayn lorde the kynge, called the court of Augmentations of the reuenues of his corown, & of the Chaũcelour officers & ministers of the same, by the whiche statutes it is not fully playnly nor expresly declared or rehersed, how and in what wyse, and by what speciall officers and ministers, the liberties priuileges & fraunchises which the late owners of the same scites circuites procinctes honours castels manours messuages landes tenementes and other the premisses had vsed and exercysed, shulde be ordred vsed exercysed and put in execution. Be it therfore enacted by the king our souerayn lord, with the assent of the lordes spirituall and temporall, and of the commõs of this present parliamẽt assembled, and by the auctoritie of the same, that all and syngular the same liberties fraunchesies priuileges and temporall iurisdictions, which the sayd late owners had vsed and exercised lawfully by them selfes, or by theyr officers or ministers, or might haue vsed or exercised within. iii. monethes nexte before that the sayd scites circuites procinctes honors castels manours messuages landes tenementes & other the premisses came to the possession of the kynges hyghnes, shalbe by vertue of this present act reniued, and be really and actually in the kynges hyghnes his heyres & successours, and shalbe in the rule order suruey and gouernãce of the kinges sayd court of augmentations of the reuenues of his crown, & of the chancellour officers & ministers of the same. And that the same liberties fraunchesies priuileges and temporall iurisdictions, and all maner fines yssues amerciamentes and other profittes and commodities, of what kyndes or natures so euer they be, commyng growyng or rysyng by reason or occasion of them or of any of them, shall be vsed exercysed and occupied to all intentes, purposes, conditions, and respectes, and shall be claymed leuyed collected and taken by suche stewardes baylyffes & other offycers and ministers as shall please the kinges hyghnes to name & appoint, in lyke maner fourme fascion & condition as they or any of them were lawfully vsed exercysed executed claimed leuied collected & takẽ before that they came to the handes & possession of our said souerain lord, & that the same stewards baylyffes officers and ministers shalbe accomptaunt for the yssues and reuenues of theyr baylywykes and offices, & shall be compelled to accompte in the sayd court of augmentations, lyke as the kynges receiuors or other officers accomptauntes in that court heretofore haue done, or owe to do.

And

¶And where also dyuers and sundrye scytes circuites and procinctes of late monasteries abbies priories nunries colleges hospitalles, and other ecclesiasticall & religious houses and places, and also dyuers honours castelles manours messuages landes tenementes lyberties priuileges franchises and other hereditamentes, which ben comen to the kynges handes by attaynder or attaynders of hygh treason, ben assigned lymitted and appoynted to the order rule survey and gouernaunce of the kynges generall survevours. And for asmoch as it is not fully plainly nor expressly knowen or declared, how and in what wyse, and by what speciall officers and ministers the temporall lyberties priuileges fraunchises & temporall iurisdictions, which the late owners of the said scytes circuites procinctes honors castelles manours messuages landes tenementes and other the premysses had vsed and exercysed, shulde be ordered vsed and put in execution: Be it therfore enacted by auctoritie aforesaid, that all & syngular the same liberties fraunchises priuileges and temporall iurisdictions, which the late owners of the sayd scytes circuites procinctes honours castels manours and other the premisses, which ben comen to the kynges handes by attainders as is aforesayd, lawfully had vsed and exercysed by them selfes or by their officers or ministers, or whiche they myght haue vsed or exercysed within iii. monethes next before that the same scites circuites procinctes honours castelles manours and other the premysses came to the possession of ỹ kynges highnes, shalbe by vertue of this acte, reuyued, and be really and actually in the kynges hyghnes his heyres & successours, & shall be in the rule order survey and gouernãce of the kynges sayd generall survevours, and of the officers and ministers of the same. And that the same liberties franchises priuileges and temporall iurisdictions, and all maner fines yssues and merciamentes, and other profittes and commodities, of what kyndes or natures so euer they be, comynge growyng or rysyng by reason or occasion of them or any of them, shalbe vsed exercysed and executed to all intentes purposes conditios and respectes, and shall be claymed leuyed collected and taken by such stewardes baylyffes and other officers & ministers as shall please the kynges hyghnes to name and appointe for the same, in lyke maner fourme fascion and conditiõ as they or any of them were vsed exercised executed claymed leuyed collected and taken before they came to the handes and possession of our sayd souerayngne lorde by attainder, as is afore sayd. And that the sayd stewardes baylyffes officers and mynysters therof shalbe accomptaunt for the issues & reuenues of their baylywykes and offices, and shall be compelled to accompte before the sayde generall survevours as other offycers accomptauntes in that courte here to fore haue done or owe to do.

¶And be it enacted by auctoritie aforesayd, that the sayd stuardes baylyffes and other officers and ministers shalbe attendant and obedient to all other the kynges courtes, as well for all executions & retournes of wrytes warrantes and preceptes, as for theyr personall apparaunces & other

duties

duties of thyr offyces, lyke as the officers & ministers of the sayd late owners dyd and ought to do, or shulde haue done by reason of theyr sayde seuerall offyces, before that the same liberties priuileges and temporall iurisdictions dyd come to the possession of oure sayde souerayngne lorde, and that to done and obserued vppon all peynes and penalities by the lawes of this realme limitted and ordeyned for any offence or defaut in the same. And that no sheryffe vndersheryffe nor other officer or minister of any shyrrye or other foreyn officer or minister, shal in any wyse intromit or medle in, with, or vpō any of the premisses, otherwyse or in any other maner, nor for any other cause, than they or any of them lawfully might haue done before the same premisses dyd come to the possessiō of our said souerain lord.

¶ Prouided alwaye and be it enacted, that all and singular persons & bodyes polytike and theyres successours and assygnes of euerye of them, shall haue holde vse execute and exercise aswell by themselfes, their officers seruantes and ministers, as by and for theyr tenaūtes fermours and resiantes, all and syngular liberties priuileges and franchises, which they or any of them nowe haue by or frō the kynges maiestie by any letters patentes endentures wrytynges vnder any his hyghnes seales, or by auctoritie of parlyament or otherwyse, or by the lawfull graunte or lease of any person or persons, or by any other meanes, or lawfull title, in as large ample and beneficiall maner to all intentes respectes and purposes, as they or any of them nowe haue, or of ryght ought to haue the sayd liberties frā chises & priuileges or any of them, and as though this acte had neuer ben had ne made, any thynge aboue wrytten not withstanding. The priuileges of saynctuaryes, churche, churchyardes, or cemitories for tuition of transgressours and offendours onely excepted. Saynge to all and syngular persones and bodyes polytike, and theyres successours and assignes of euery of them, all such office and offices, fees annuities profyttes & commodities, which they or any of them nowe haue, or of right ought to haue, in or vpon, or by reason of the sayd sytes circuites procinctes castelles honours manours mesuages landes tenementes liberties franchises priuileges and other the premisses, or in any part or parcell of them, in as large and ample maner fourme fascion and condition to all respectes and purposes, as yf this acte had neuer ben had nor made: any thynge in this acte to the contrary therof not-withstandynge.

¶ And furthermore be it enacted by the auctoritie of this present parlyament, that the Chauncellour of the sayd court of augmentations now beynge, and euery of his successours, beynge Chauncellour of ꝑ same court, and the kynges generall attorney, & his graces attorney of the sayd court of augmentatiō for the tyme beyng, & euery of them, & theyr successours, & the successors of euery of them, shal haue full power & auctoritie by vertue of this act, to take to the vse of the kynge our souerayngne lorde, his heires & successors, knowleges of all maner of cōcordes for fynes therupon to be hadde and recorded in the court of our sayde souerayngne lorde the kynge,

and

and of his heires and ſucceſſors, cõmonly called the common place, of and vpon all and ſyngular manours lordſhyps landes tenementes and other hereditamentes, beynge and whiche by reaſon of thoſe fynes or otherwyſe ſhalbe vnder the order rule or ſuruey of the ſayde courte of Augmentations, without any fyne or fee to be paid for the ſame. And that the iudges & iuſtices before the tyme being of the ſayd court called the common place, & theyr ſucceſſours, ſhall accepte receyue and allowe all the ſayd knowleges of concordes by the ſayd chauncellour and attourneys, or any of them, to be certifyed or delyuered in to the ſayde courte, called the common place. And the ſame to be as effectuall in the lawe to all intentes and purpoſes, as yf the ſame knowledges of concordes hadde ben made taken or knowledged before the chiefe iudge of the ſayde common place oute of the ſame courte or openlye in that courte. And alſo that the ſayd chauncellour and attourneys for the tyme beynge, and euery of them, and the ſucceſſours of euerye of them, ſhall haue full power and auctoritie, to make knowledge for enrolmentes of all dedes made or to be made to the vſe of the kynge oure ſouerayne lorde, his heires and ſucceſſours, of any manours landes and tenementes, and of all obligations to be made to the kyng, his heires and ſucceſſours, or to other perſone or perſones to the vſe of the kynge, his heyres & ſucceſſours for any matter, or cauſe concernyng the ſayd court of augmentations, or concerning the ſayd manors landes and tenementes, without any fee gyfte or rewarde by them or any of them to be taken therfore. And the ſame dede ſo knowleged to be inrolled or regeſtred in the ſaid court of augmentation, & ſo beynge there inrolled and regeſtred amonges other recordes there remaynynge and the inrollementes and regeſtringes of the ſame, to ſtande and be of recorde, and of as good ſtrength & effecte as yf the ſame were or had ben knowleged before any other iudge or iuſticer of recorde, and enrolled in any other courte of recorde.

¶ Prouided alway and be it enacted by thauctoritie aforeſayd, that in all ſuch of the ſayd liberties franchiſes & places priuileged, & in euery of the, limited to the ſayde courte of augmentations and to the ſurueyers courte, where ſo euer the kinges hyghnes in his owne moſte royall perſone ſhall come to reſt tary abyde or make his repoſe within this his realme, or anye of his dominions, within liberty or without, ther and within the birge ymited & accuſtomed to his graces court, duryng the tyme of his abode, the ſtuarde or greate mayſter of his graces houſeholde, the marſhall, coroner, clerke of the market, and all other his miniſters, ſhall and may kepe their courtes for Juſtice, and exercyſe theyr offyce and offyces, as ſhall appertayne to them, according to the lawes cuſtomes & ſtatutes of this realme, aſwell within liberties & franchiſes as without. And that his graces clerkes of the market and none other, during the ſame tyme, aſwel within the ſayd liberties and franchiſes as without, ſhal exerciſe the office of clerkes of the market within the ſayde birge, any priuilege graunt allowance, or other thynge to the contrary therof not withſtandynge.

Pro-

¶ Prouyded alwaye, that this article next before reherſed, or any thynge therin conteyned, be not in any wyſe preiudiciall to the cytie of Londō, but that the ſame cytie ſhall haue & vſe ſuch liberties as they mought, yf that article had neuer ben had ne made.

¶ And where alſo the ſytes circuites and procinctes of the late monaſtery of Furnes, and of the late monaſteries and priories of Cartemele, Conyngeſhed, Burſtough, and Hollande, and alſo dyuers honours caſtelles manours meſſuages landes tenementes liberties priuileges fraunchiſes and other hereditamentes, late parcell and appertaynyng to the ſayd late monaſteries & priories, or to any of them, which ben comē into the kynges handes, ben aſſigned lymitted and appointed to the order rule ſuruey and gouernance of the chauncellour officers and miniſters of the Countie palantine, and Duchy of Lancaſter. And foraſmoche as it is not fully plainlye nor expreſſye knowen or declared, howe and in what wyſe, and by what eſpeciall officers and miniſters, the temporall liberties priuileges fraunchiſes and temporall iuriſdictions, which the late owners of the ſayd ſytes circuites procinctes honours caſtels manours meſſuages landes tenemētes and other the premyſſes had vſed or exerciſed, ſhulde be ordered vſed & put in execution. Be it therfore enacted by thauctorite aforeſayd, that all and ſyngular the ſame liberties fraunchiſes priuileges and temporall iuriſdictions, which the ſayd late owners of the ſayd ſytes circuites procinctes honours caſtels manours and other the premyſſes lawfully had vſed and exerciſed by them ſelfes, or by theyr officers or miniſters, or which they might haue vſed or exerciſed within .iii. monethes next before the ſame ſytes circuites procinctes honours caſtels manours & other the premiſſes, came to the poſſeſſiō of the kynges hyghnes, ſhall be by vertue of this acte reuyued, and be really and actually in the kinges hyghnes his heires and ſucceſſours, and ſhalbe for euer in the rule order ſuruey and gouernaunce of the ſayd chauncellour officers and miniſters of the ſayd countie palantyne and Duchy of Lancaſter. And that the ſame liberties fraunchiſes priuileges and temporall iuriſdictions, and all maner of fines yſſues amerciamentes and other profittes and cōmodities, of what kyndes or nature ſo euer they be, comynge growyng or ryſyng by reaſon or occaſiō of them, or of any of them, ſhalbe vſed exerciſed and executed to all purpoſes intentes conditions and reſpectes, and ſhalbe claymed leuyed collected & taken by ſuch ſtewardes baylyffes & other officers and miniſters, as ſhall pleaſe the kynges hyghnes to name & appoynt for the ſame, in lyke maner forme and conditiō, as they or any of them were vſed exercyſed executed claymed leuyed collected and taken before they came to the handes and poſſeſſion of our ſayd ſouerayne lorde. And that the ſayd ſtewarde baylyffes officers and miniſters, ſhall be compelled to accompt for the ſame, before the ſayde chauncellour officers and miniſters of the ſayd county palantine & duchy of Lancaſter, as other officers and accomptantes in the court of the ſayde duchy, heretofore haue done, or owe to do.

And

¶AND be it enacted by thauctozity afozesaid, that the sayd stewardes bailyffes and other officers and ministers shall be attendant and obedient to all other the kynges courtes, as wel foz al executions & retourns of writtes warrantes and pzeceptes, as foz personall apparances and other dueties of their offices, like as the officers and ministers of the sayde late owners, dyd and ought to do, oz shuld haue done, by reason of their sayde seueral offices, befoze that the same liberties, pziuileges, and tempozal iurisdictions, did come to the possession of our sayde soueraygne lozd, and that to be done and obserued vpon all peynes and penalities by the lawes of this realme limitted and ozdeyned foz any offence oz defaulte in the same, and that no sherif, vndersheriffe oz other officer oz minister of any sherif, oz other fozen officer oz minister, shal in any wyse intromit oz medle in with oz vppon any of the pzemisses, otherwise, oz in any other maner, oz foz any other cause thã they oz any of theym laufully myght haue done befoze the same pzemisses dyd come to the possession of our sayd soueraygne lozd.

¶PROVIDED alwayes that this act noz any thing therin conteined, shal in any wise extend to abzogate adnull diminish noz to take away any liberties franchises pziuileges iurisdictions realties oz any other pzofites commodities and aduantages, what so euer they be, belongyng, oz in any wise appertayning to any the kinges castels honours manozs landes tenementes oz other his possessions of his sayd county palantyne of Lancaster and duchy of Lancaster, oz of either of them: but that al such liberties frãchises pziuileges iurisdictions royalties and all other such pzofites commodities and aduantages, whatsoeuer they be, shalbe receyued taken and answered to the kynges highnes his heires and successours, by the chauncellour officer and ministers of the sayde county palantyne of Lancaster and duchy of Lancaster and eyther of them, as heretofoze hath ben vsed and done at any tyme befoze the .xiii. day of Febzuary, in the .xxvii. yere of his most noble reygne: Any thyng matter oz clause in this acte conteyned to the contrarye hereof in any wyse not withstanding.

¶Pzouided alwayes, that this acte, oz any thinge therin conteyned, doo not extend to dysanulle oz be hurtefulle to any of the liberties oz pziuileges of the cinq poztes, oz the membzes of the same: but that they and euery of them, shall enioy possesse and haue all and singular lyberties customes and grauntes to them graunted heretofoze by the moste famous pzince of memozy kyng Edward the fourth, and other his noble pzogenitours, confyzmed by our soueraygne lozde the kynges maiesty, that now is, in lyke maner and fourme as though this acte had neuer ben had ne made.

The abbzeuiation and limitation of Trinitie terme. Cap. xxi.

VVHERE THE terme called Trinitie terme of longe tyme hath ben and yet is yerely vsed to be holden and kepte in suche tyme and season of the yere that by occasion therof not onely great perill and daunger of

of infection of the plage and ſundry other ſickeneſſes haue happened to the kinges louing ſubiectes, aſ well nobles as other, but alſo hath ben and yet is a great impediмente and lette to a great multitude of the kynges poore ſubiectes for prouiſiõ and gathering in of harueſt and other their neceſſary buſines and liuinges, in that ſeaſõ of the yere moſt expediẽt to be exerciſed. The kynges moſt royal mateſty, hauing eſpeciall reſpect aſwell to the helth as to the welth of his people, by thaſſent of the lordes ſpiritual and temporall, and the commons in this preſent parliament aſſembled, and by thauctority of the ſame, ordeyneth enactethe and eſtabliſſheth, that in the ſayd Trinity terme ſhalbe foure common dayes of retorne only, and not aboue, that is to ſay, the firſt day of retorne ſhalbe and be called In craſtino ſancte Trinitatis, the ſecond day of retorne of the ſame terme ſhalbe and be called, In octabis ſancte Trinitatis, the thirde day of retourne of the ſame terme ſhal be and be called, In quindena ſancte Trinitatis, and the fourth day of retourn of the ſame terme ſhalbe and be called, A die ſancte Trinitatis in tres ſeptimanas. And that the ſame daies of retorne ſhalbe obſerued and kepte in al our ſoueraigne lorde the kynges high courtes of recorde, hereafter to be holden at weſtminſter, or other place or places, at the aſſignement appointment or agrement of our ſayd ſouerayngne lord, his heires, or ſucceſſours: And that frome or after the feaſt of ſaynt Michel the archaungell next coming, there ſhal not be, nor be called any dayes of retorne, In craſtino ſancti Ioannis Baptiſte, Octabis ſancti Ioannis Baptiſte, nor Quindena ſancti Ioannis Baptiſte, nor any of them.

¶ And be it further enacted by thauctority aboue ſayd, that the ſayd terme ſo the holy Trinity, ſhal yerely for euer, from the ſayd feeſt of ſaynt Michaell tharchangell next comminge, begyn the monday next after Trinity ſonday, whan ſo euer it ſhall happen to fall, for the keping of theſſoygnes, prokers, retornes, and other ceremonies heretofore vſed & kepte, in like maner and fourme, as in times paſt hath ben vſed to be done in the day of retourn commonly called In octabis ſancte Trinitatis. And that the full terme of the ſayd Trinity terme ſhal yerely for euer, begin and take his commencemẽt the friday next after Corpus Chriſti day, in ſuche and lyke maner & forme to al purpoſes, intẽtes, and reſpectes, as heretofore hath ben vſed the wedneſday next after Corpus Chriſti day. And that from & after the ſayd feaſte of ſaynt Michel tharchangell next cõming, the ſayd ſecond and third daies of retorne called Octabis ſancte Trinitatis, and Quindena ſancte Trinitatis, ſhall take their commencement and begyn, as in tymes paſt hath ben vſed, And that the ſayd fourth day called A die ſancte Trinitatis in tres ſeptimanas. ſhal take his commencemente, and begin from the ſayde Trinity ſonday, in to thre wekes thã next folowing, and ſhall haue his retorne with the fourth day, as is accuſtomed in other lyke dayes of retourne.

¶ And be it further enacted by thauctority aboue ſaid, that yf after the ſaid feaſte of ſayncte Michaell tharchaungel nexte commyng, any writte in any reall action come in or be retornable into any of our ſaid ſoucrayn lorde the

kynges

kynges courtes, In octabis ſancti Hylarij, than day ſhall be gyuen In craſtino ſancte Trinitatis, If In quindena ſancti Hylarij, In octabis ſancte Trinitatis, If In craſtino Purificationis beate Marie, In quindena ſancte Trinitatis, if In octabis Purificationis beate Marie, than A die ſancte Trinitatis in tres ſeptimanas. And if after the ſame feaſt of ſaint Michael tharcangel, any writ in any real action come into any of our ſaid ſouerain lord the kinges courtes returnable In craſtino ſancte Trinitatis, than day ſhall be gyuen In craſtino animarum, If In octabis ſancte Trinitatis, in craſtino ſancti Martini, If In quindena ſancte Trinitatis, in octabis ſancti Martini, If A die ſancte Trinitatis in tres ſeptimanas, in quindena ſancti Martini.

¶ And be it further enacted by thauctorite abouesaid, that if after the ſaid feaſt of ſaint Michael tharcangel next cõming any writ of dower come into any of our ſouerain lord the kynges courtes, and be returnable In quindena Paſche, than day ſhalbe gyuen In craſtino ſancte Trinitatis, If A die Paſche in tres ſeptimanas in octabis ſancte Trinitatis, If A die Paſche in unum menſem, in quindena ſancte Trinitatis, If a die Paſche in quinq; ſeptimanas, or In craſtino aſcenſionis domini, thã day ſhalbe gyuẽ into the day of A die ſancte Trinitatis in tres ſeptimanas. And if after ỹ ſame feſt of ſaint Michel tharcãgel next cõmyng any writ of dower com into any of our ſaid ſouerain lord the kyngis courtes of recorde In craſtino ſancte Trinitatis, thã day ſhalbe giuẽ In octabis ſancti Michaelis, If In octabis ſancte Trinitatis, In quindena ſancti Michaelis, if In quindena ſancte Trinitatis, A die ſancti Michaelis in tres ſeptimanas, If A die ſancte Trinitatis in tres ſeptimanas, A die ſancti Michaelis in unum menſem, or otherwyſe as is appoynted limytted and declared by the ſtatute of Marlebrige in the .xii. chapiter therof made and prouided.

¶ And it is further enacted by thauctorite aforeſaid, that al common writtes and proceſſes, as wel perſonall as myxt, which ſhal fortune to be returnable in the ſayd Trinitie terme ſhall haue and kepe the ſayd retournes of Craſtino ſancte Trinitatis, Octabis ſancte Trinitatis, Quindena ſancte Trinitatis and A die ſancte Trinitatis in tres ſeptimanas, or any one of them.

¶ Prouided alway and it is further enacted by the auctorite abouesayde, that in ſuche and lyke caſes and proceſſes as ſpeciall dayes haue bene vſed to be appoynted aſſigned and gyuen for the returnyng of writtes and proceſſes, it ſhalbe laufull to the Juſtyces of euery of the kynges ſayd courtes of recorde for the tyme beyng, in all the proceſſes by theym awarded, to aſſygne and appoynt ſpeciall dayes of returnes, as by theyr dyſcretions ſhal be thought conuenient.

¶ Prouyded alſo and be it further enacted by thauctorite abouesaid, that the dayes in aſſiſe of Darreyne preſentment, and in plee of Quare impedit, lymptted and appoynted by the ſtatute of Marlebrige, and alſo the dayes to be gyuen in attaynte lymptted in the ſtatute made in the Fyfthe yere of the reygne of the noble kynge Edwarde the thyrde, beinge not contrariant to the tenour of this acte, ſhall be holden fyrme and ſtable, and ſhal ſtande in their full force and effecte.

¶ An acte concernyng the accomptes of bysshops and other for the tenthe graunted to the kynges maiestie. Cap. xxii.

N MOSTE HVMBLE wyse beseechynge your most royal maiestie, your humble subiectes the archbysshops and bysshops of this your realme, that where in the parliament begon at London, the thirde day of Nouembre, the. xxi. yere of your moste gracious reigne, and from thens adiorned to westm̃, and there holden and contynued by dyuers prorogations, vnto the thirde day of Nouember, in the. xxvi. yere of your moste noble reigne, it was enacted by thauctorite of the same parliament among other thinges, that your maiestie, your heires and successours, kynges of this realme, for more augmentation and mayntenance of the royall astate of your imperyall crowne and dignitie of supreme heed of the churche of Englande, shulde yerely haue take perceyue and enioy, vnyted and knytte to your imperyall Crowne for euer, one yerely rent or pensyon, amountinge to the value of the tenth part of al the reuenues rentes, fermes, tythes, offerynges, emolumentes, & of al other profites, as wel called spiritual as temporall, than apertaynyng or belongyng, or that hereafter shulde belonge to any archbishopriche, bysshopriche, abbacy, monastery, priory, archedeconry, deanry, hospytall, college, house collegiate, prebende, cathedrall church, collegiate churche, conuentual churche, personage, vicarage, chauntery, free chapell, and other benefyce or promotion spirytuall, of what name, nature, or qualitie soo euer they than were within any dyocesse of this youre realme, or in Wales: the sayde pensyon or annuall rent to be yerely payde for euer to your maiestie, youre heyres and successours kynges of this realme, at the feaste of the Natiuitie of our lorde God, as in the sayde acte more playnely appereth. And furthermore it was enacted by the sayde auctorytie in the same parlyament, that after a certifycat made into youre Eschequyre, and taxe sette in suche maner and fourme as by the sayde acte is lymptted, euery archebysshoppe and bysshoppe than beynge, and after that to be, shulde be charged and chargeable to leuye collecte and receyue within their proyre dyocesse, as welle in place exempte as not exempte, all suche summes of money, wherewith the dygnities, benefyces, and other promotions spyrytual aforenamed within their dyocesse, chargeable by the sayde acte, shulde be sette taxed and charged towardes the payment of the sayde yerely pension, and shulde paye and content the sayd summes of money before the fyrste daye of Apryll, to the Treasourer of your Chaumber for the tyme beynge, or to any other personne or personnes, whome it shoulde please youre highnesse to appoynte to receyue the same: And that the Treasourer, Chauncelloure, Chaumberlayne, and Barons of your Eschequer, shuld cause yerely processe to be made by their discretions for non payment of the sayd pension and yerely rente, as by the sayd acte amonge other thynges more at large apperethe. And for as moche as

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ſins the makynge of the ſayde act, all and ſingular abbacies pꝛioꝛies monaſteries and other relygious houſes, whiche than were conuentuall, bene clerely diſſolued & comen to youre hyghnes by auctoꝛity of parliament, and otherwiſe by your lawes, wherby the ſayd yerely rentes and pẽſions, which befoꝛe that tyme were of them ſeuerally to be payde, be nowe not payable oꝛ leuiable: And alſo that the ſayd archebiſhops and byſſhops, vpon certificat made into the ſayd eſchequer, by reſon of the ſayd act made in the ſaid. xxvi. yere of our reigne, ben chargeable and charged with the ſayde yerely rentes oꝛ penſions of the tenth of diuers & many perſons, which were certified into your ſaid eſchequer by the comiſſioners aſſigned to take & ceſſe the ſaid ſpiritual dignities and pꝛomotions, to haue perpetuities and chaunteries, and other ſalaries, where neuer any ſuch chantery oꝛ perpetual ſalary was founded oꝛ oꝛdeyned, and many chanteries and other perpetuities ſpiritual than being in eſſe, ben ſyns that tyme vtterly diſſolued & extincted: And alſo many pꝛebendes perſonages and vicaries ben double certified by the ſayd commiſſioners, and ſome certified to ben in places where none ſuche be In rerum natura, and ſome by wꝛonge names oꝛ otherwiſe miſcertifyed, and alſo ſome partes of the pꝛofites and emolumentes, whiche dyde than belonge to ſomme dignities perſonages vicarages cathedꝛall churches, & collegiat churches, as in pꝛories ſynodales oblations & indulgences par dones & other pꝛofites, be now decayd & diminiſhed by ſundꝛy meanes, and many chanteries and other ſmall pꝛomotions ſpiritual, ben ſyns that tyme decayed and extinguiſhed, and no pꝛieſtes theron abydyng. And alſo ſythe the makyng of the ſayd act, made in the ſayd. xxvi. yere, there hath ben aſſurances made to your maieſty by ſome of the ſayd archebyſhoppes and byſſhops of parcelles of their poſſeſſions, charged with the ſayde rent oꝛ penſion, and parcell of the ſayde poſſeſſions charged with the payement of the ſayd yerely rent oꝛ penſion, ben comen to your handes by other lauful meanes. By reaſon wherof, and of many other cauſes doubtes and ambiguities, whiche doo dayely ryſe concernynge the pꝛemiſſes, the ſayde collectours canne not leuye the ſayde yerelye rentes oꝛ penſions, concernynge manye pꝛomotyons oꝛ pꝛofittes ſpyrytuall, certified in youre ſayde Eſchequyꝛe by the ſayde Commiſſioners, and yet that not withſtandynge, the ſayde Archebyſſhoppes and Byſſhoppes, foꝛ lacke of ſufficiente warraunt and auctoꝛity to the barons of your ſayde Eſchequyꝛe, foꝛ their diſcharge in that behalfe, bene greattelye pꝛolonged and letted in yeldynge of their accoumptes in your ſayde Eſchequyꝛe of the ſayde annuall rente oꝛ penſion, and putte to greatte coſtes and charges, to their greatte inquyetneſſe, charges, loſſes, and trowbles, where they haue nothinge allowed theym, oꝛ any of their offycers, foꝛ the collectynge, leuyenge, gatheringe, oꝛ payeng of the ſayde annualle rentes oꝛ poſſeſſions, to the vſe of your hyghneſſe. It maye therfoꝛe pleaſe your highneſſe, by the aſſente of the loꝛdes ſpirituall and tempoꝛalle, and the commons in this pꝛeſente parlyamente aſſembled, and by the auctoꝛitye of

the ſame, that it may be enacted by thauctoꝛity aforeſayd, that yf the ſayde archbiſhops and byſhopos, oꝛ any of them, their deputies oꝛ other accomptantes oꝛ any of them, that nowe be, oꝛ hereafter ſhalbe chargeable with the collection of the ſayde annuall rent oꝛ penſion, oꝛ of any part oꝛ poꝛcion therof, ſue and allege by the othe of any of the ſayde archbyſhops byſhops oꝛ other accomptãtes, oꝛ any other perſon oꝛ perſons auctoꝛiſed to accompt foꝛ any of them beforꝛe the Treaſourer Chancellour and Barones of pour Eſcheker, oꝛ beforꝛe the moꝛe parte of them, oꝛ beforꝛe ſuch other perſons, as it ſhall pleaſe the kynges highnes to appoynte to here the ſame accompte, that they oꝛ any of them foꝛ any of the cauſes abouesayd, oꝛ foꝛ any other ſufficient cauſe oꝛ matter by any of them to be alledged, can not oꝛ may not in any wyſe laufully leup ſuche particular ſumme oꝛ ſummes of money of the ſayd annuall rent oꝛ penſion, as they oꝛ any of them, now be oꝛ hereafter ſhall be chargeable and charged with, and no matter apparaunt there ſhewed to the contrary foꝛ pour highnes by any of pour ſergeantes at the lawe, oꝛ by pour attourney generall foꝛ the tyme beyng, oꝛ by any other foꝛ poure maieſty: that than poure ſaid Treaſoꝛer Chancellour and barons, oꝛ the moꝛe parte of them, oꝛ ſuche other perſons as ſhall be appoynted by the kynges highneſſe, ſhall by vertue and auctoꝛity of this acte, haue full power and auctoꝛity by theyꝛ diſcretions to accept and allowe that allegation, and therevppon therof to diſcharge the accomptaunt, oꝛ elles by theyꝛ diſcretions to directe the kynges writte vnto any of the kynges courtes, foꝛ to certifie vnto theym the truthe therof: And therevpon the ſayde Treſourer, Chauncellour, and Barones, oꝛ the moꝛe part of theym, oꝛ ſuche perſons as ſhall be therevnto appoynted by the kynges highnes, further to here and examine the ſame matter and cauſe by wytneſſe and depoſitions of ſuche as can enfourme the courte, oꝛ the ſayde other perſonnes as ſhall be therevnto appoynted by the kynges hyghneſſe of the truthe thereof, oꝛ by any other wayes and meanes that they can beſte deuyſe: And if nede requite, to awarde commyſſyons by their diſcretions to certayne indifferente perſons in euery ſuche dioceſe, where any ſuche mattier oꝛ cauſe ſhalbe alledged, without any charge al kynge oꝛ takynge foꝛ the makyng of the ſame commyſſyons ſoo to be awarded: which ſayde commyſſioners ſhall and maye by vertue of their commiſſions, haue full power and auctoꝛity to examyne the ſame matier and cauſe ſoo alledged by any of the ſayde byſſhoppes oꝛ other accomptauntes foꝛ theym, and in their diſcharge by the othes of ſuche perſons as ſhall haue perfect notiſe therof, oꝛ other wyſe, and therevpon to make certificat therof to the ſayd Treaſoꝛer Chancellour and barons, oꝛ to the moꝛe parte of them in the ſayde Eſcheker, oꝛ to ſuche other perſons, as therevnto ſhall be appoynted by the kynges highnes. And vpon certificat ſo made of the ſayd matter, oꝛ if by any other matter oꝛ certificat it ſhall appere to the ſayde Treaſoꝛer Chauncelloure and Barons, oꝛ to the moꝛe parte of them, oꝛ to ſuch other perſons as therevnto ſhall be appoynted by the kynges highnes, that the ſayd matter, and the allega-

allegations therof, be good and trewe: than the ſaid treaſorer chauncellour and barons or the more parte of them, or the ſayde ſuche other perſones as therunto ſhalbe appointed by the kinges highnes, therupō to make a clere and ſufficient deduction allowance determination and diſcharge to any of the ſayde archebyſhops byſhops and other accomptantes, and to euery of them, of and for the ſame, without further ſute or delay, and the ſame allowance and diſcharge, to cauſe to be entred in that courte, there to remayne of recorde, as by their diſcretions ſhall be thought requiſite from tyme to tyme, without farther ſuyte charge or other inquietyng of any of the ſayde archebiſſhops biſſhops or other accomptantes or any of them, or any of the ſucceſſours or executours of any of them in that behalfe.

¶ AND that it may be further enacted by thauctority aforeſaid, that in caſe it be hereafter certified by commiſſion or otherwiſe by ſufficient and probable witneſſes, hadde and founde before the ſayd treaſorer chauncellour and barons, or before the more parte of them, or before ſuche other perſones as therunto ſhalbe appointed by the kinges hyghnes, that any benefice chantery hoſpital or other eccleſiaſticall promotion is omitted and not ſpecified or not certified by or in the ſayde orygynall or former certificat: That than upon due proofe, informacion, knowledge, or certificat therof by any of the ſayde archebyſſhops or byſſhops, or otherwyſe made or declared before the ſayde treaſorer chauncellour and barons, or before the more parte of them, or before ſuche other perſons as therunto ſhalbe appoynted by the kynges hyghnes, of any ſumme or ſummes of money concernynge the premiſſes ſo omitted, and not charged for lacke of knowlege or certificat therof, wherof the kynge of ryght ought to be anſwered: The ſayd treaſorer chauncellour and barons, or the more parte of theym, or ſuche other perſonnes as therunto ſhall be appoynted by the kynges highneſſe, ſhall make a ſuffycient entree therof, to be annered to and with the ſayde orygynalle of the ſame tenthe, and therupon to charge the ſayde accomptantes, to make leuye and anſwere therof yerely from henſeforth, ſoo that the kynges hyghneſſe may be truely anſwered therof, from tyme to tyme, accordynge to his lawful title in that behalfe.

¶ The Subſidy of the clergy of the prouince of Canturberye. Cap. xxiii.

WHERE THE PRELATES AND CLERGY of the prouynce of Canturberye, haue louyngly and lyberally for certayne conſiderations, gyuen and graunted to the kynges maieſtie, a ſubſydy of foure ſhyllynges of the pounde, to be taken and leuied of all and ſingular their ſpyrituall promotions within the ſame prouince, durynge the terme of twoo yeres, nowe nexte enſewynge, in certayne maner and fourme,

with diuers exceptions and prouisions specified and conteined in a certain instrument by them therof made and deliuered vnto the kynges highnesse, vnder the seale of the archbishop of Caunterbury, as in the same instrumēt exhibited in this present parliament more plainly doth appere. The tenour wherof ensueth in these wordes:

¶ THE PRELATES AND CLERGY of the prouince of Caunterbury callynge to remembraunce, not onely the great liberty and fredome that they haue by theyr deliueraunce, from the yoke and bondage of the vsurped power of the byshop of Rome, which by the most gracious goodnes and diuine wisedome of our most dread and naturall souerain lord the kynges maiesty, is most laufully and rightuously clerely vanquyshed & extinguyshed out of this realme: And that therfore the byshop of Rome ceasseth not dayly most malitiously to ymagine, how to prouoke forein princes to take part with him to reuenge his sayde most vnlaufull and wrongfull quarels: but also the great excessiue and inestimable charges, which the kinges highnes hath by reason therof ben at, and is dayly and must continually be at hereafter, in makynge of hauens, blockehouses, and other diuerse fortresses, for the defense and tuition of this his realme, and his most louing subiectes in the same: Haue of theyr owne mere louyng tender mynd and good wyl, gyuen and graunted, and by these presentes do gyue and graunte vnto the kynges maiesty, a subsidy towardes his sayd charges in maner and fourm folowyng, that is to say: That euery Archbyshop byshop deane archdeacō prebendary prouost maister of college maister of hospital person vicar chātery priest and other gouernours and euery of them, and euery other person and persons, of what so euer name or degre he or they be, enioyeng any spirituall promotion, or other temporall possessions to the same spirituall promotions annexed, nowe not deuyded or separate by acte of parlyament or otherwise from the possession of the clergie, shall paye to the kynges highnes for euery pounde that he may yerely spende by reason of the sayd spirituall promocion, the summe of foure shyllynges sterl'. And for the trewe and certein knowlege of the yerely values of the said promotions & euery of them, wherof the paiment shuld be made, the rate taration valuation and estimation all redy made and certified in the eschequer for the payment of the perpetuall disme concerninge all suche promotions as yet remayne in possession of the clergie, or any other not yet deuyded by acte of parliament or otherwise as aforesaid, shalbe folowed & obserued without making any new valuation rate taration or estimation, other then in the sayde certificate is comprehended.

¶ PROVIDED alwayes that for as moche as the tenthe parte of the sayd valuation and taxe certified in the eschequer, is yerely payed to the kynges highnes for the perpetuall disme, so as there remayneth onely nyne partes to the incumbent clere: this subsidy of foure shyllinges of the pounde, shal be vnderstand of the sayd .ix. partes, and no more.

¶ PROVIDED also that no person payenge fyrst fruytes, shalbe charged with

with any part of this subsidy duryng the first yere of that his promotion.

¶ The sayd prelates and clergy also graunten, that this subsidy of foure shyllynges of the pound of the yerely clere value of euery promotion tared as afore, shalbe payed to the kynges maiesty within two yeres nexte ensuinge the date hereof, at the recepte of his eschequer, or within any other places where it shall please the kynges highnes to appoynt, that is to say: two shyllynges of euery pounde at suche dayes and tyme of the yere as the perpetual disme is nowe by tenour of the acte of parliament ordered to be contented and payd.

¶ The sayd prelates and clergy also graunt, that euery priest hauinge a pension by reason of the dissolution of any of the late monasteries colleges or hospitalles, or any other incorporation within the sayd prouince of Canterbury, shall lykewyse pay to the kynges highnes foure shillinges of euery pound of their sayd pensions within the sayd two yeres. And that for the sure paiment therof, a deduction & retentiō of the said. iiii.s. be made in the handes of the payers of the said pension after ỹ proportiō of.ii.s. of the pound, eche of the said.ii. yeres to be deliuered & payed to the kinges vse, at such tyme and to suche persons as the subsidie of. iiii.s. shalbe payed vnto.

¶ The said prelattes and clergy further graunt, that euery priest, receiuig annual stipendy, being no perpetuity within the sayde prouince, shall paye to the kynges graces vse. vi.s. viii.ď. in euery of the sayd.ii. yeres, at ỹ same dayes, and vnder the same penalities as the reste of the clergy do paye for their promotions.

¶ The sayd prelates and clergy also graunt, that euery archebyshop and byshop, & the see beinge vacant euery deane and chapiter of that see voyde shalbe collectours of this subsidy within their propre dioceses, & shal haue full power and auctoritie by the kinges maiesty and the parliament, to vse all such wayes meanes and proces as be prescribed in the act of perpetuall disme for the collectyng and leuyeng of the same, and shall accompt therof before the barones of the kynges eschequer, or in such other place as it shal please the kynges highnes to appoynt, in suche wise and after such fourme onely as the said archbyshop and byshops be now charged for the collectiō of the perpetual disme, wherby is ment, howe the lacke and default of paiment of and for any particular promotion shall onely charge the incumbēt, and suche as be bounde to paye the same, and that vpon such peynes as be prouided in that act of perpetuall disme, agaynst them that make defaulte in that behalfe. And that the archbyshop byshop or deane and chapiter gathering that they can receyue, and makynge payment therof, shall for the rest not by them receiued, be discharged by the certificat made in such forme and fascion as in the act of perpetuall disme is limitted & prescribed. And vi.ď. of euery pound, wherwith the collectour shall be charged in his accōpt clerely, to be paid into the said recepte, or in such other place as it shal please the kynges highnes to appoynt, shall be allowed to the same collectour in his sayd accompt of the same, for the charges of collection portage safe cō-

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uepeng and payenge of the ſayd ſubſidy.

¶ Prouided alwayes that this ſubſidy ſhall not be demaunded nor leuied out of any benefice or college ſituat or ſet within the vniuerſities of Oxenford or Cambrige, or of any benefice or other reuenues vnto any college of Oxenford or Cãbrige vnited & appropried, nor of the colleges of Eton nye Windeſore, nor of the college of Wicheſter foũded by William Wikhã ſom time biſhop of Wicheſter, nor of any church or benefice or other reuenues to ỹ ſaid colleges or to any of thẽ ãnexed appropried or otherwiſe appertenig.

¶ PROVYDED alwaies and be it enacted, that no ſpiritual promotion or any landes or reuenues annexed to the ſame, being charged by this graunt or acte of the prouynce of Canturbury, ſhalbe charged or made contributour to any fiftyne or other ſubſidy graunted to the kynges hyghnes of the laye fee in the ſeſſion of this preſent parliament, or hereafter to be made, duringe the terme of the ſayde two yeres.

¶ FOR certaine cauſes and conſiderations concernyng the trew and ſpedy collection and payment of the ſame ſubſidy to be had, Be it enacted by the kynges highnes, by the aſſent of the lordes ſpirituall and temporal, and of the commons in this preſent parliament aſſembled, and by the auctority of the ſame, that the ſayd gyft and graunt, and euery matter ſumme of money clauſe and ſentence in the ſayde inſtrument conteyned, be ratified eſtabliſhed and confirmed by auctority aforeſayd.

¶ AND furthermore be it enacted by the auctority of this preſent parliament, that euery perſon that ſhall be appoynted to the collection and gatherynge of the ſayd ſubſidy, ſhal haue full power and auctority to leuy take & perceyue the ſame ſubſidy by auctority of cenſures of the churche, or by diſtres vpon the poſſeſſion of the fermers or owners of the landes & tenementes chargeable by this act to the payment of any ſũme or ſũmes of money, or otherwiſe by the diſcretion of the collectors therof. And that no repleuy prohibycion or ſupſedeas ſhalbe allowed or obeied for any perſon or perſõs makyng defaut of paiment of the ſaid ſubſidy, contrary to the tenour of the graunt therof, vntil ſuch tyme as they haue truly ſatiſfied & contented all ſuch part & portion, as to thẽ in that behalfe appertayneth. And that euery ſuche fermor & fermors, that ſhal here after fortune to be charged to & with the payment for any part of the ſayd ſubſidy, ſhal by thauctorite aforeſaid, be allowed & retain in his handes as moche in his yerely ferme and rent, as the ſumme which he ſhall fortune to pay for his lord or leſſor, ſhall extende and amount vnto, any writyng couenant bond or other thing had or made to the contrary in any wyſe not withſtandynge. And for the leuyeng of the ſaid ſubſidy of .iiii. s. of the pound, and for the yerely penſions whiche any prieſt or other perſon or perſons, whiche here to fore haue bene religious or taken for relygious perſonnes, do or ſhall receyue at the courte of the Augmentations, the Chauncellour of the ſame courte, for the tyme beynge, ſhall yerely, durynge the ſayde two yeres, deteyne or retayne in his handes, or cauſe to be deteyned or reteyned in the handes of other the offy-

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ters and ministers of the same court, to the kynges vse, for euery pounde of the same pensions two shillynges, and it shall well and truely pay or cause to be paide in the sayd Escheker, or els where the kynges highnes shall appointe, without any delay or charge to be made or susteyned in that behalf.

¶ AND BE IT FVRTHER ENACTED by thauctorite aforesayd, that euery other persone or persones, whiche paye or be chargeable to paye any yerely rente pension or pensions, to any prieste, or other personne or persones, whyche heretofore haue ben religious or taken for religious persons, chargeable to the payment of the sayde subsydy, that euery suche person and persons, whyche do so paye, or hereafter shall paye any of the sayde yerely rentes pension or pensions, shall not onely durynge the sayd two yeres, retayne in his handes yerely to the kynges vse for euery pounde of the same yerely rentes pension or pensions, two shyllynges, and the same well and truely pay or cause to be payed yerely, durynge the same two yeres vnto the ordinary of the same dioces, or to the collector of the sayde subsidie there to the kynges vse, but also shall yerely durynge the same two yeres, before the feast of the Purification of our blessed lady, certify vnder his or theyr seale or seales vnto the sayde Eschequer, or elles where it shall please the kynges maiestie to appointe, the names and surnames of all and singular suche prestes or other persons religiouse, or heretofore taken for religiouse persons, as is aforesayd, and the true yerely rentes or pensions, whiche they or any of them be intitled to haue or receyue yerely as is aforesayd. And that the chauncellour for the tyme being of the kynges courte of Augmentacions of the reuenues of the kynges Crowne, shall lykewyse yerely durynge the sayde two yeres, before the sayde feaste of the Purification of our lady, certifie vnder the seale of the same courte, not onely the names & surnames of all and syngular priestes, and other persones chargeable for theyr sayd seuerall rentes and yerely pensyons to the payment of the sayde subsydy in the sayd Eschequer, or els where it shall please the kynges maiestie to appointe, but also the trewe and iuste yerely summe and summes of the same yerely rentes or pensyons, with the names and surnames of the persons chargeable to the payment therof. And that the archebyshop and byshop of euery diocese within the sayd prouynce of Canturbury, shal yerely durynge the sayd two yeres, before the sayde feaste of the Purification of our lady the virgyn, certify vnder his seale into the sayde Eschequer, or els where it shall please the kynge to appoynte, the namesand surnames of al and singular stipendary prists, being within any of theyr dioceses chargeable to the payment of the sayde subsydy, as is aforesayd: And also the names and surnames of euery suche person and persons, with whom he or they do dwell and take any stipende or wages.

¶ AND be it further enacted by thauctorite aforesayde, that euery suche person or persons, whiche within the sayde two yeres, shall gyue and paye any stypende or wages to any suche prestes, as is aforesayde, shall for the insufficiency or defaut of euery of the same prest or prestes, being in seruice

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and wages with hym, at the feest of the natiuity of our Lorde, be charged and chargeable to & with the paument of .vi.s. and .viii.d. for the same yere.

¶ And be it further enacted by thauctorite aforesayd, that the sayd archebyshop byshops and al other persons chargeable to and with the collection of the sayd subsidy of foure shyllynges the pound, within the sayd prouince of Caunterbury, shal haue vpon euery payment therof made in the kinges eschequer, or elles where the kynges maiesty shall appointe, a sufficient acquytance in writyng of suche person or persons as the kynges maiesty shal appointe for the recepte therof: The same acquytaunce witnessyng the recept of as moch of the same summe of the same subsidy, as shal be by any of them so receyued, and euery such acquytaunce in writynge sealed and subscribed with the name or names of euery such person or persons, that so by the kynges appointment shall receiue any of the sayde summes of money, shall be as good and effectuall in the law, and also a sufficient discharge to all intentes constructions and purposes, as if it were made by act of parliament. And that euery person and persons, which shall haue and receyue any such acquitaunce, shall pay but onely .vi.d. for euery of the same acquitaunces.

¶ Be it also enacted by the auctority abouesayd, that al and euery graunt and grauntes of al and euery summe and summes of money, which hereafter shalbe graunted to the kynges highnes by the clergy of the prouince of Yorke, shall be of the same strength force and effect in all thynges, as the afore sayd graunt made by the sayd prouynce of Caunterbury, and shall be taxed certified collected gathered and leued according to the tenour fourm and effect of this present act of parliamente to all intentes constructions & purposes, and in suche maner as though it were specially playnly and particularly expressed and rehersed in this presente acte by expresse wordes termes and sentences in their seuerall natures and kyndes.

¶ An acte concernyng the landes and goodes of the hospitalles of sayncte Johnes of Ierusalem in England and Ireland to be hereafter in the kynges handes & disposition. Cap. xxiiii.

THE LORDES SPIRITVAL and temporal & the cõmons in this present parliament assembled, hauyng credible knowledge, that diuerse and sundry the kinges subiectes called the knightes of Rodes, otherwise called knightes of sait Johns otherwise called friers of the religion of saint Johñ of Ierusalem in Englande, and of a lyke house beinge in Irelande, abyding in the parties of beyonde the see, and hauyng as wel out of this realme, as out of Irelande and other the kinges dominions, yerely great summes of money for mayntenance of their lyuynges: Haue vnnaturally, and contrary to the dutie of their allegiaunces, sustayned and mayntayned the vsurped power and auctorite of the bishop of Rome, lately vsed and practised within this

realme

realme, and other the kynges dominions, and haue not only adhered theyr
selfes to the sayd byshop, beyng cõmon ennemy to the kynge our soueraygne
lorde, and to this his realme, vttrely vpholdyng, knowledging, and affir-
myng malicious ly and traiterous ly, the same byshop to be supreme & chiefe
hed of Christis church by goddis holy word, entendyng therby to subuerte
and ouerthrow the good and godly lawes and statutes of this realm, their
naturall countrey, made and grounded by auctoritie of holy church, by the
moste excellent wysedome, policy, and goodnes of the kinges maiesty, with
the hole assent and consent of the realme, for the abolyshyng expulsyng and
vtter extinctyng of the sayde vsurped power and auctoritie, but also haue
defamed and sclandered as well the kynges maiesty, as the noble men, pre-
lates, and other the kynges trewe and louing subiectes of this realme, for
their good and godly procedyng in that behalfe: haue therfore depely pon-
dered and consydered, that lyke as it is & was a moste godly act of the kyn-
ges moste royall maiesty, and the sayd noble men prelates and cõmons of
this realme, vtterly to expulse and abolyshe not only from this realme, but
also from other the kinges dominions, the sayd vsurped power and aucto-
ritie of the byshop of Rome, and also the hypocritike & superstitious rely-
gions in this realme, and other the kynges dominions, beinge his mem-
bres and adherentes, hauyng their originall erection and foundation, by the sayd
vsurped auctoritie, by expulsynge wherof, goddis holy worde necessary for
increase of vertue and saluation of christen sowles, is not only purely and
synceresly auaunced and set forth, but also the extorte exactions of innume-
rable summes of money, craftily exhausted out of this realme, and of other
the kynges dominiõs, by the colour of the said vsurped auctoritie, is remo-
ued and taken away, to the inestimable benefit and commodity of the kyn-
ges louyng subiectes, so like maner of wyse it shuld be moste dangerous to
be suffered or permytted within this realme, or in any other the kynges do-
minions, any relygion beyng sparkes leaues or ympes of the sayd roote of
iniquity: Consyderyng also, that the Ile of Rhodes, wherby the sayd rely-
gion toke theyr olde name and foundation, is surprysed by the Turke: And
that it were and is moche better, that the possessions in this realme, and in
other the kynges dominyons, appertaynyng to the sayd relygion, shuld ra-
ther be employed and spent within this realme, and in other the kinges do-
minions, for the defence and surety of the same, than conuerted to & among
suche vnnaturall subiectes, which haue declyned not only from their natu-
rall duetie of obedience, that they ought to beare vnto the kyng theyr soue-
rain lorde, but also from the good lawes and statutes of this realme theyr
naturall countrey, dayly doinge and attempting priuily and craftily al that
they can, to subuerte the good and godly policy, in the which thankes be to
god, and to our most dread soueraine lorde, this realme, and other the kinges
dominions nowe stande in. In consideration wherof the sayd lordes spiry-
tuall and temporal, and the cõmons in this presente parliament assembled,
most humbly beseechen the kynges most royal maiesty, that it may be enac-

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ted by his highnes, and by the assent of the lordes spirituall and temporall, and the commons in this present parliament assembled, that the corporatiō of the sayde religion, as well within this realme, as within the kynges dominions and lande of Ireland, by what so euer name or names they be foūded encorporated or knowen, shalbe vtterly dissolued and voyd to al intentes and purposes. And that syr Wylliam Weston knight, nowe beinge pryour of the said religion within this realme of England, shal not be named or called from hensforeh pryour of saynt Johnes of Jerusalem in England, but shalbe called by his proper name of Williā Weston knight, without farther addition touchyng the said relygion. And that lykewise Johñ Rawson knight, now being priour of Kylmaynam in Ireland, shall not be called or named from hensforthe pryour of Kylmaynam in Irelande, but only by his proper name of John Rawson knight, without farther addition touching the sayd religion: nor that any of the bretherne or confriers of the sayd relygion in this realme of England, and land of Irelande, shalbe called knightes of the Rhodes nor knyghtes of saint Johns, but shall be called by their owne proper christen names and surnames of their parentes without any other additions touching the said religion.

¶ And be it furthermore enacted by auctoritie of this present pliament, that if the sayde William Weston, or any of his brethern or confrerers of the hospital or house of saint John of Jerusalem in England, nowe abiding and dwellyng within this realme of Englande, or any other person or persons, beinge membres professed of or in the sayd hospitall, now dwellynge within the sayd realme, at any tyme after the fyrst day of Julye next commynge, do vse or weare within this realme, or elles where, in or vpon any apparell of their bodies, any sygne marke or token heretofore vsed and accustomed, or hereafter to be deuised for the knowlege of the said religion, or make any congregatiōs chapiters or assembles touching the same religion, or mayntayn support vse or defende any lyberties fraunchises or priuyleges, heretofore graunted to the sayd religion, by auctoritie of the bishop of Rome, or of the see of the same: that than euery of them so offendyng, shall incurre and runne into the peynes forfaytures and penalyties ordeyned and prouided by the statute of prouision and premunire, made in the. xvi. yere of kynge RYCHARDE the second. And if the said John Rawson knight, or any his bretherne or confreres of the sayd hospital or house of Kylmainam in Irelande, or any other person or persons being membres professed of or in the sayd hospital of Kylmaynam, now abiding and dwelling within the sayd lande of Irelande, at any tyme after the last day of September next commyng, do vse or weare within this realme, or within the sayde lande of Ireland, orels where in or vpō any apparel of their bodies, any signe mark or token heretofore vsed and accustomed, or hereafter to be deuysed for the knowlege of the same relygion, or make any cōgregations chapiters or assembles touchyng the same religion, or mayntayne support vse or defende any maner of lyberties franchises or priuileges heretofore graunted to the

same

ſame by auctoꝛitie of the byſhop of Rome, oꝛ of the ſee of the ſame: That than euery of them ſo offending, ſhal incurre and runne into the peyns foꝛfaytures and penalities, oꝛdeyned and pꝛouided by the ſayd ſtatute of pꝛouiſion and pꝛemunire, made in the ſaid. xvi. yere of king Richard the ſecõd.

¶And be it likewiſe enacted by thauctoꝛite afoꝛſaid, that if any the knightes oꝛ cõfreres of the ſaid religion, being the kinges natural ſubiectes, whi che nowe enhabyte abyde and dwell out of any the kynges dompnions, at any tyme after the fyꝛſte day of Febꝛuary next comming, dõ offende in any of thartickes oꝛ offences nexte aboue reherſed: that than euery of them ſoo offendynge ſhall incurre and runne into the peynes foꝛfaytures and penalities next aboue remembꝛed.

¶And be it further enacted by thauctoꝛitie afoꝛeſayd, that the kynges maieſty his heires & ſucceſſours, ſhal haue and enioy al that hoſpital manſion hous church and al other houſes edifitions buildinges and gardens to the ſame belongyng, being nere to the citie of London in the countie of Midõ, called the howſe of ſaynt Johnes of Ieruſalem in Englande, and alſo all that hoſpytal churche and houſe of Kylmaynam in the lande of Irelande, and all and ſyngular caſtelles honours manours meaſes landes tenementes rentes reuerſyons ſeruyces woddes medowes paſtures parkes warrennes lyberties fraunchyſes pꝛiuileges perſonages tithes penſions poꝛtions knyghtes fees aduouſons commanderies pꝛeceptoꝛies cõtributions reſponſions rẽtes titles entrees conditions couenauntes and all other poſſeſſions and hereditamentes, of what natures names oꝛ qualities ſoo euer they be, and where ſo euer they be oꝛ lye within this realme of Englande, oꝛ within the land of Irelande, oꝛels where within any the kynges dominiõs, which appertained oꝛ belonged to the ſaid religion, oꝛ to the pꝛoꝛs maſters oꝛ gouernours knightes oꝛ other mynyſters pꝛofeſſed of oꝛ in the ſame, by the pꝛetence oꝛ in the right of the ſayd religon: And all & ſynguler goodes catals dettes arrerages of rentes & fermes, and all other thynges real and perſonall, what ſo euer they be, wherof oꝛ wherunto any of the ſayd pꝛoꝛs bꝛethern oꝛ confreres, oꝛ perſons pꝛofeſſed in the ſaid religion, can haue noꝛ claym any particular pꝛopꝛiete to theyꝛ owne pꝛopꝛe vſe, by the rules & ſtatutes of the ſayde relygyon: To haue and to holde the pꝛemyſſes and euery of theym, to our ſayde ſouerayne lorde, and to his heyꝛes and ſucceſſours foꝛ euer, to vſe and employe by his moſte excellent wyſedome and diſcretion, at his owne free wylle and pleaſure. And that his hygheneſſe ſhall be demed and adiudged in the reall and actuall poſſeſſion of the pꝛemyſſes, by vertue and auctoꝛitie of this pꝛeſent acte. Saueynge to all perſons and bodies polytike, theyꝛ heyꝛes and ſucceſſours, and the heyꝛes and ſucceſſours of euery of them, other than the ſayd pꝛyour of ſaynt Johnes of Ieruſalem in Englande, and the ſayde Pryoure of Kylmaynam, in the lande of Irelande, and the bꝛethers oꝛ Confreeres of euerye of theym, and the Sucꝛeſſours of euerye of theym, and all and euery other perſone oꝛ perſonnes of the ſayde relygyon, and theyꝛ ſucceſſours, and euerye of

them, and the ſucceſſours of euery of theym, all ſuche ryght tytle, intereſt, poſſeſſion leaſes grantes annuities fees offyces cozrodies reuerſions rentes and ſeruyces rent charges cõmons rightes titles entrees actions petitions penſions pozcions, and all other hereditamentes, of what names natures oz qualities ſo euer they be, whiche they haue ſhuld oz ought to haue had, yf this acte had neuer ben had ne made: any thynge in this acte to the contrary therof not withſtandynge.

¶ Pzouyded alway, and be it enacted by thauctozitie of this pzeſente parlyament, by the agrement and aſſent of the kynges mooſte excellent goodnes, that the ſayd Wyllyam Weſton, durynge his naturall lyfe, ſhall haue and enioye to his owne vſe out of the pzemyſſes yerely one annuall rente oz penſyon of one thouſande poundes, to be payde to hym, oz his aſſygnes at the feaſt of ſaynte Michaell tharchaungell, and the Annunciation of our lady by euen pozcions, and alſo ſhall haue to his owne vſe ſuche reaſonable pozcion of the goodes and cattals appertaynynge to the ſame religion, as it ſhall pleaſe the kynges maieſtie of his mooſte excellent goodnes, to lymytte and appoynt of the ſame. And that the ſayde John Rauſon knyght, ſhall haue and enioye to his owne vſe, out of ſuche poſſeſſions as he nowe hathe in Englande and Irelande, one annuall penſyon of fyue hundzede markes, to be payde to hym oz to his aſſignes at the feaſtes afozeſayde by euen pozcions, and lykewyſe ſhall haue to his owne pzopze vſe ſuche reaſonable pozcion of the goodes of the ſayde relygion, as ſhall pleaſe the kynges maieſtye of his moſt excellent goodnes to lympte and appoynt foz the ſame. And that Clement Weſte, beinge one of the confreres of the ſayd religion, ſhall haue and enioye durynge his naturall lyfe, one annuitie oz yerely penſion of. CC. pounde. And that Thomas Pemberton, an nother of the confreres of the ſayde relygion, ſhal haue and enioye yerely durynge his naturall lyfe, one yerely penſion of. lxxx. pounde. And that Gyles Ruſſell, an nother of the ſayd confreres ſhall haue and enioye yerely durynge his naturall lyfe, one yerely penſion of. C. pounde. And that Geozge Aylmer, an other of the ſayd confreres, ſhall haue and enioye yerely durynge his naturall lyfe, one yerely penſion of one. C.li. And that John Sutton, an other of the confreres of the ſayde relygion, ſhall haue and enioy yerely durynge his naturall lyfe, one yerely penſion of. CC.li. And that Edwarde Belyngham, an other of the confreres of the ſayd relygion, ſhall haue and enioy yerely during his lyfe naturall, one yerely penſion of one. C. pounde. And that Edward Bzowne, an other of the confreres of the ſayde relygyon, ſhal haue and enioye yerely durynge his naturall lyfe, one yerely penſyon of fyfty pounde. And that Edmunde Huſe, an other of the confreres of the ſayde relygyon, ſhall haue and enioye yerely durynge his lyfe naturall, one yerely penſion of one hundzed markes. And that Ambzoſe Caue, an other of the Confreres of the ſayd religion, ſhall haue and enioy yerely durynge his naturall lyfe, one yerely penſyon of one. C. markes. And that Thomas Copledike, another of the cõfreres of the ſaid religion, ſhal haue

and

and enioye duringe his naturall lyfe, one yerely penſion of fifty pounde. And that Cuthbert Leighton, an other of the confreres of the ſayd religion, ſhall haue and enioye yerely duryng his naturall lyfe, one yerely penſion of. lx. pound. And that Richard Broke, an other of the confreres of the ſayde religion, ſhall haue and enioy yerely duringe his naturall lyfe, one yerely penſion of. C. markis. And that Henry Poole, an other of the confreres of the ſayd relygion, ſhall haue and enioy yerely durynge his naturall lyfe, one yerely penſion of. CC. markis. And that Willyam Tirrel, an other of the confreres of the ſayd religion, ſhall haue and enioy yerely durynge his naturall lyfe, one yerely penſion of. xxx. pound. And that John Rauſon, an other of the confreres of the ſayde relygion, ſhall haue and enioye yerely duringe his naturall life, one yerely penſion of. CC. markes. And that Anthony Rogers, Oſwalde Maſſyngberde, James Huſe, Thomas Thoznell, Nicolas Hupton, Philip Babington, Henry Jerad, Dunſtan Nudegate, Nicolas Lambert, and Dauid Gonſon, beinge confreres pzofeſſed in the ſayd relygion, and hauinge at this pzeſent tyme noo maner of certayntie towardes theyz lyuing, ſhall haue and enioy euery of them yerely, one yerely penſion of tenne poundes: The ſayde ſeuerall yerely penſions to be payde at the feaſtes of ſaynt Michael the archaungell, and the Annunciation of our ladye, by euen poztions, as is afozeſayde. And ouer this euery of the ſayde confreres aboue named and mencioned, ſhall haue to their owne pzopze vſes, ſuche reaſonable poztions of the goodes and cattalles beinge in their handes and poſſeſſions, appertaynyng to the ſayd religion, as it ſhall pleaſe the kynges maieſty to lymitte and appoynte to euery of them of the ſame.

¶ And be it alſo enacted by thauctozity afozeſayde, that if any the kynges ſubiectes, beinge pzofeſſed in the ſayde religion, be negligently fozgotten oz omitted out of this pzeſent acte, foz lacke of knowledge of their names, that yet neuertheleſſe euery of them ſo fozgotten, and not nowe pzeſentely named oz remembzed, ſhall haue and enioy ſuche honeſt conuenient and reſonable yerely penſion and poztion of goodes, as ſhall pleaſe the kynges maieſty to limite and appoynte in that behalfe.

¶ Pzouided alwayes, that none of the ſayde pziours oz confreres of the ſayde relygion, ſhal haue and enioy any of the penſions afoze ſpecified, except ſuch of them as be the kynges true and faythful ſubiectes: Any thing in this acte to the contrary therof not withſtandinge.

¶ Pzouided alſo and be it enacted by thauctozity afozeſayde, that Johñ Mapleſden, otherwyſe called Johñ Mableſton clerke, ſubpziоz of the ſayd religion of the ſaid hoſpital of ſaynt Johñ of Jeruſalem in England, Willyam Ermeſtede clerke, maiſter of the temple in London, Walter Lymſey and Johñ Winter chappleynes there, and euery of theym, ſhall haue perceyue and enioye, durynge their naturalle liues, all ſuche manſion houſes, ſtypendes, and wages, and all other pzofittes of moneye, in as large and aumple maner as they oz anye of theym nowe laufullye haue

the ſame, without lette or interruption of the kynge our ſoueraygne lorde his heires or ſucceſſors, or any other his officers or miniſters, the ſayd maſter and two chapleins of the temple, doing their dueties & ſeruices there, as they haue accuſtomed to do.

¶ And be it further enacted by auctority aforeſayd, that the ſayd William Weſton, and John Rawſon, and euery of the ſayd brethern or confreres afore named, and the ſayd ſubprior and the ſaide maiſter of the temple, and two chaplens, and euerye of them, being the kinges true and faitheful ſubiectes, vpon their reaſonable ſuites and peticions, ſhall haue ſufficient letters patentes of the ſayd ſeueral yerely annuities, penſions, manſions, ſtipendes and wages, and other profites of money to theym limitted by auctority of this acte, vnder the kynges great ſeale, without any fyne or fee to be payde to the kynges vſe for the ſame.

¶ And be it further enacted by thauctoritie aforeſaid, that the ſaid brethern or confreres of the ſayd religion, and al other obediencers, being membres of the ſayde religion, ſhalbe acquited & diſcharged of their obedience, that they haue vſed to beare and gyue vnto the ſayd Wylliam Weſton, or to the ſayd John Rauſon, or to any other of the ſayd religion, by the ordinances vſages rules or ſtatutes of the ſayde religion. And that as well the ſame Wyllyam Weſton and John Rauſon, as the ſayde bretherne or confreres of the ſayde relygion, callyd knyghtes, as is aforeſayde, and euerye of them, beinge the kynges ſubiectes borne in this realme of Englande, or in the lande of Ireland, or elles where within any the kynges dominions, ſhall be enhabled to ſewe and be ſewed by their owne ſayde proper names and ſurnames, and haue ſuch capacity, and other fredome, lybertyes and priuyleges, to all intentes and purpoſes, in as large and ample maner, fourme, faſſhion, and condition, as in the fyrſte Seſſion of this preſente parlyamente was ordeyned and enacted for religyous perſonnes: Anye ſtatutes, ordinaunces, lawes, cuſtomes, vſages, or any other thinge or thignes to the contrary therof in any wiſe not withſtandyng.

¶ Prouided alſo, and be it enacted by the auctoritye aforeſayde, that all priuiledges of ſayntuaryes heretofore vſed or clayned in manſyon houſes, and other places, commonly called ſaynt Johnes holde, and all other Sayntuaries heretofore vſed in any place within this realme, or in Irelande, whiche heretofore hathe bene belongynge to any of the ſayde hoſpitalles, ſhall ſtande and be vtterlye voyde and of none effecte, for or concernynge anye ſaynctuarye or pryuyledge of ſayntuarye there to be hadde or vſed. The priuiledges of commune churches and churcheyardes, applyed and vſed to goddis ſeruice, and buryalles of chriſten people, onely excepted.

¶ And be it alſo enacted by thauctoritie aforeſayd, that al the ſaid manors meſes landes tenementes and al and ſingular other poſſeſſyons priuileges liberties franchiſes and other hereditamētes grāted to the kynges maieſty by this act, ſhalbe in the ſuruey rule order & gouernance of the chancellor,

and

and other mynysters and offycers of the courte of thaugmentations of the reuenues of the kynges crowne, in lyke maner fourme fashion and condition, as the possessions of the landes of the abbeys monasteries or priories supressed or surrendred ben.

¶ AND BE IT ALSO ENACTED, by the auctoryte aforesayde, that all and euery suche persone and persones, as be nowe confreers of the sayde hospitalle or hospitalles, and at this present tyme out of this realme, shall before the feaste of Penthecoste, whyche shall be in the yere of our lorde God, a Thousande fyue hundred forty and one, returne into the same, and here personally present theym selues to the kynges maiestye, or to the lorde Chauncellour of Englande, the lorde Treasourer, the lorde Presydent of the kynges counsaylle, and the iorde pryuye seale, or two of theym for the tyme beynge, at the leaste, both knowledgynge theym selues to be his bysshnesse trewe and loyall subiectes, and declarynge them selues to be contente wyllyngly to obserue kepe and maynteyne all the lawes and statutes of this realme, as to good and trewe subiectes appertayneth: Or elles the same confrere or confreeres, makynge defaulte of suche his repayre and presentemente as is beforesayde, shall in noo wyse clayme and enioye any pensyon by vertue of this acte: any thynge in the same conteyned not withstandynge: Onelesse the persone or persones so makynge defaulte of repaire and apparaunce, can shewe and declare them selues to haue ben detayned, or by a necessary meane empeached and letted of their wylle, purpose, and desyre to haue comehyther, and to haue accomplyshed the hole contentes of this statute accordyngely.

¶ An acte declarynge the dissolution of the kynges pretensed mariage with the lady Anne of Cleues. Cap. xxv.

THE LORDES SPIRITVAL AND temporall, and the commons in this present parlyament assembled, callynge to their remembraunce, the manyfolde detestable conflyctes, intestyne battayles, mortalyties of people, and disherysons, whyche heretofore haue sprongen and growen in this Realme, by occasion of diuersitie of tytles to the crowne of the same, whiche moste chiefely grewe and insurged by doubtes of maryages, and of the incertaynte of the succession of the same: Consydering also, that (thankes be to god) all maner titles ben nowe conioyned, consolydate, vnyted, and vested allonely in the kynges moste royall persone, so that his maiesty is and standeth presently a iuste and vndoubted pure and perfecte kynge of this his Realme, agaynst whome none impedymente or obiection can or maye be by any maner of meanes alledged: And that it appertayneth to the offyce and polycy of all cyuyle bodyes of realmes and countreyes, mooste chyefely, nexte to their dueties to god, to foresee and

prouide for the suretie and certaynte of the succession of theyr kynges and chiefe gouernours, forasmoche as vpon the certaynte thereof dependeth their hole common welthe reste peace and tranquillitie: And lately vnderstandynge that great ambyguities doubtes and questyons haue bene moued in the maryage solempnysed betwene the kynges maiestye and the lady Anne of Cleues, wherby great troubles and inconueniences myght hereafter sprynge and growe in this realme, to the ymmynent daunger of the dystruction of the subiectes therof, yf remedye shulde not be spedyly prouyded for the same. The temporalle lordes and commons haue therefore made theyr moste humble intercession and petition to the kynges most royall maiestye, that it myght please his hyghnes of his accustomable goodnes, to commytte the state of his sayde maryage, with all the circumstaunces and dependances therof vnto the prelates and clergye of this realme, to be serched examyned dilygned and determyned by them, accordyng to the truth iustice and equitie, in suche wyse as shulde stande with goddis pleasure, the kynges honour, and the welthe and tranquyllitie of this realme, To whose most humble suite and petition his maiestie condescended and agreed, and therupon by his cōmission vnder his highnes great seale, cōmitted the examination of his sayd mariage to the archbishops of both the prouinces, of Canturbery & Yorke, and to the prelates and clergy of the same, by auctorite wherof, the sayd archbishops prelates and clergy haue assembled them selfes togither in their synode, & after long examination and consultation in & vpon the validitie & invalidity of the sayd mariage, haue resolued declared & diffined by great aduise and deliberation, & by theyr hole cōmon assent, as by an instrument by them made & exhibited vnto the kynges maiestie, vnder the seales of the said archbyshops, and with the approbations and testimonies of foure sundry notaires autentique therunto subscribed, with theyr sundry synes, more playnly appereth: The tenour of whyche instrument hereafter fully ensueth in these wordes:

¶ To the most excellent, most high and myghty prince, and our soueraine lorde HENRY theight, kyng of Englande and of France, defendour of the fayth, lord of Ireland and supreme heed in erth vnder Christ of the church of England, Thomas and Edward, by the sufferance of god, archbyshops of the prouynces of Canturbury and Yorke, with al reuerence honour and due subiection, helth, and felycitie. Where as your moste excellent maiestye at the instances & request of the nobles and cōmons of your noble realme, hath by your graces letters commissionalles, dated the syxte daye of July, the. XXXII. yere of your reigne, cōmytted vnto vs, and other our brethern, byshops of both prouynces, togyther with the deanes archdeacons & clergy of the same, conunctly and aparte, that we shulde by mature delyberation discusse the cause of matrymony, whiche betwene your moste excellent maiestie and the noble lady Anne of Cleues, is many wayes doubtefulle and perplexed: And shoulde furthermore determyne, what we thought trewe and iuste, and what youre maiestie myghte doo in the same, and that we

shuld

ſhulde ſignify vnto your highnes in a writyng autentique, what we hadde done therin, as in the ſayde letters is conteyned more cuydently & at large. We therfore both in our owne name, and in the name of our ſayd bretherne the byſhops and the clergy, haue thought good to ſignify to your moſte excellent maieſty, and do ſignifie by theſe preſentes, that we and our ſayd bretherne byſhops of bothe prouinces, togither with the deanes archdeacons and clergy, aſſembled by vertu & ſtrength of your gracis ſaid letters cõmiſſionalles, and congregate to make a Synode vniuerſal of this realme, after we had herde examined wayed and diſcuſſed ſuch thynges as haue bene propoſed alledged affirmed and proued vnto vs, haue with a common and ſeuerall aſſent and conſent of all and ſyngular, declared and determyned your maieſty not to be bounde by the ſaid pretended mariage, which is of it ſelfe nought and of no force: ſo as your maieſtye, without tarienge for any other iudgement, may with the auctorite of your church, at your pleaſure and arbytre, contracte and conſummate matrimony with any woman, not prohibyted by goddis lawe to contract with your highnes, the forſaid pretended mariage with the lady Anne not withſtandynge. And that likewiſe the ſayde lady Anne, not withſtandynge the pretended mariage with your hyghnes, which we determine to be no obſtacle, may at her pleaſure cõtract matrimony with any other perſone, not forbydden to contract with her by goddis lawe. Whiche determynation made by vs and the hole clergye, we wytnes profeſſe and affirme, like as alſo they with vs haue wytneſſed profeſſed, and with ſubſcription of theyr names, confirmed to be true iuſt pure and honeſt, procedyng from the ſyncere iudgement of our conſcience. To the execution of whiche determynation, the ſayd clergy hath with vs moſt perfectly holly and effectually aſſented and conſented, lyke as we eſteſones conſent & aſſent by theſe preſentes. ¶ AND the ſaid lady Anne, being aduertiſed by certayn noble men, of the requeſt of the nobilitie and cõmons made to the kynges highnes, to commit the examination diffinition and determination of his gracis mariage with the ſame lady Anne, to the archbiſhops byſhops and clergy, dyd than of her owne free wyl aſſent and conſent therynto, and moreouer ſithens that tyme, hauyng knowlege and clere vnderſtandyng of the reſolution diffinition and determination with the particularities therof made by the ſaid archbyſhops byſhops and clergye, hath in preſence of certayn noble men, as the ſame noble men haue openly in this courte of parliament teſtified and declared, not onely truely confeſſed and knowleged amonge other circumſtances, that ſhe remayneth not carnally knowen of the kynges highnes body, but alſo hath agreed and fully ſubmitted her ſelfe to the ſame determination, as to a thynge purely, trewely, iuſtly, indifferẽtly, and honorably done diffined and determined by the ſaid archbiſhops byſhops and clergy. And her ſayde confeſſion and agreement ſhe hath alſo ſignified by a letter ſubſcribed with her owne hande, whyche letter and inſtrument hath ben openly redde declared and publiſhed to the ſayd lordes and commons in this preſente parlyament aſſembled, in bothe

houſes

houles of the ſayd parlyament. In conſyderation wherof the ſayde lo⁊des ſpirituall and tempo⁊all, and the commons in this p⁊eſent parlyament aſ=sembled, moſte humbly beſechen the kinges moſt royal maieſtie, that it may be aſſented declared and enacted by auctho⁊ite of this p⁊eſent parliament, as well fo⁊ the ſuretie and certainty of his highnes poſterite and ſucceſſion as fo⁊ the welth quietnes reſt and tranquillity of this realm, that the mariage betwene his highnes and the ſaid lady Anne of Cleues is clerely voyd and of no fo⁊ce value ne effect. And that his maieſtie is at his lybertie & pleſure to contract matrimony & mary with any other womã, not p⁊ohibited by the lawe of God to mary with his highnes. And that the ſayde lady Anne, not withſtandyng the ſayd p⁊etenſed mariage betwene the kynges maieſty and the ſame lady Anne, at her lybertie and pleaſure may contract matrimonye and mary with any other perſon, not p⁊ohibited by the lawe of god to mary with her. And that ſuche mariage, which the kinges maieſty hereafter ſhal ſolemnyſe and conſũmate with any woman, not p⁊ohibited by the lawes of god to mary with his highnes, and the poſteritie and ſucceſſion p⁊ocreated of ſuch mariage, ſhalbe good pure perfecte and lawfull, the ſayd p⁊etenſed mariage betwene his highnes & the ſayd lady Anne, o⁊ any other thynge o⁊ thynges to the contrary therof in any wyſe not withſtanding. And that the ſayd lady Anne, ſhal not be named o⁊ called within this realme, no⁊ in any other the kynges dominions, no⁊ els where, the kynges wyfe no⁊ Quene of this realme. And that al letters patentes made by his highnes vnto the ſayde lady Anne, in conſideration of the ſayde p⁊etenſed maryage fo⁊ her dowet and ioynctour, o⁊ otherwyſe, be voyde and of none effect.

¶ AND be it alſo enacted by thauctho⁊itie abouesaid, that if any perſon o⁊ perſons, of what eſtate degree dignitie o⁊ condition ſo euer he o⁊ they be, af=ter the fyrſt day of September next comming, by wryting o⁊ imp⁊intyng, o⁊ by any other exteriour act wo⁊d o⁊ dede, directly o⁊ indirectly, accept o⁊ take iudge o⁊ beleue the ſayde p⁊etenſed mariage, had betwene his maieſty and the ſayd lady Anne of Cleues, to be good laufull o⁊ of any effecte: O⁊ by wo⁊des wryttinge p⁊yntynge dede o⁊ acte, p⁊ocure o⁊ doo, o⁊ cauſe to be p⁊o=cured o⁊ done, any thyng o⁊ thynges to o⁊ fo⁊ the interruption repell o⁊ ad=nullation of this acte, o⁊ of any thynge therin conteyned: That than eue=ry ſuche perſon and perſons, of what eſtate degre o⁊ condition ſo euer he o⁊ they be, & their aidours coũſailo⁊s mayntено⁊s & abbettours and euery of them, fo⁊ euery ſuch offence befo⁊e ſpecified, ſhalbe adiuged high trattours and euery ſuche offence ſhalbe adiudged high treaſon, and the offendours therin their aidours counſaylours mayntеinours and abbettours, & euery of them, being laufully conuict of any ſuch offence by p⁊eſentment verdite confeſſion o⁊ p⁊oces, acco⁊dyng to the cuſtomes and lawes of this realme, ſhall ſuffer peynes of deth, as in tales of high treaſon. And that alſo euery ſuche offendour, beinge conuict as is afo⁊eſayd, ſhal loſe and fo⁊fayt to his highnes, and to his heires and ſucceſſours kynges of this realme, all ſuche mano⁊s lãdes tenementes rentes reuerſions annuities and hereditamẽtis

which

whiche they had in possession as owners, or were sole seased of by or in any ryght tytle or meanes, or any other person or persons had to their vse of any astate of inheritance at the day of suche tresons and offences by them commytted and done: And shall also lose and forfayte to his highnes, and to his sayd heires, aswell all maner such estate of freholdes and interest for yeres of landes and tenementes, as all other goodes catalles and debtes, whiche they had at the tyme of their conuiction or atteinder of any such offence. Sauing alwayes to euery such person and persons and bodies politike and their heires assignes and successours, and to the heires and successours of euery of them, other than suche persons as shall be so conuicted and attaynted, and their heires & successors, and al other claymyng to their vses, all such ryght title vse interest possession condition rentes fees offices annuities and commens, whiche they or any of them shall haue in or vpon any suche manors landes tenementes rentes annuities or hereditamentes that shal so happen to be loste and forfait by reason of any conuiction or atteynder for any the treasons and offences aboue rehersed, at the time of the sayd treasons and offences committed, or at any tyme after.

¶ AND be it also enacted by auctorite of this present parlyament, that all and singular the kynges louyng subiectes, which haue spoken done practised cõmitted attempted or procured to be done or attempted directly or indirectly, by wordes writynges printynges or any exterior acte or actes, any thing or thinges what so euer it be, ageinst the mariage solemnised betwene the kynges maiesty and the sayd lady Anne, or for the setting forth or preferment of the dissolution therof, or ageinst the person of the said lady Anne, or her estate or dignity, which she pretendeth by reason of the sayde mariage, or haue done any thing or thinges act or actes, or spoken written or imprinted any wordes, or procured to be done any thing or thinges act or actes or any wordes to be spoken written or imprynted contrary or ageinst the sayd mariage, or any dependences therof, which mought be taken demed or interpretated for treason or misprision of treason by any construction, by vertue of any estatutes of this realme heretofore made, shalbe frely and clerely pardoned discharged and released by auctority of this acte of all those and such treasons and misprisiõs of treasons aboue mencioned. And that none of his sayde louyng subiectes for any of the sayd treasons or misprision of treson aboue mẽcioned & specified, shal hereafter at any time by any maner of menes be impeched vexed or troubled, but vtterly discharged therof for euer.

¶ An acte concernynge trewe opinions and declarations of Christis relygion. Cap. xxvi.

WHERE THE kynges royall maiestie of his blessed and gracious dispositiõ, lyke as his highnes is our souerain liege lord and supreme heed of the churche of Englande, so his grace taketh the care and sollicitude therof, moste dyligently foreseing and

and p̄ouidyng all that can be to the quiet vnion concoꝛde pꝛoſperity welth and furtherauuce of the ſame. Cõſidering alſo, that nothing ſo moch troubleth the common welth, and hyndereth quiet and concoꝛd, as diuerſity in opinions and beleſe, ſpecially in thynges that concerne almighty god & his religion. And of his pꝛudence and wyſedom well wayeng, that out of ſundꝛy outward partes and places there haue ſpꝛong, ben ſowen, and ſet foꝛth diuerſe hereticall erroniouſe and daungerouſe opinions and doctrines in the religion of Chꝛiſt, wherby ſome of his gracis liege people myght be not only diſquietted and moued to variaunces ſtrifes commotions oꝛ ſeditions among them ſelfes, to the vtter diſtruction and vndoynge of them ſelfes, and of their hole poſterytie foꝛ euer, but alſo enduced & allured to vnfaithfulnes myſbeleue miſcreaunce and contempt of god, to the vtter confuſion and dampnation of their ſoules, onleſſe by his maieſtyes pꝛouidence ſome good remedy ſhulde be oꝛdeyned foꝛ the ſame: hath of his bountifull roiall clemence therfoꝛe appoynted eſtabliſhed and oꝛdeyned tharchbyſhops and ſundꝛy biſhops of both pꝛouinces of Caunterbury and Yoꝛke within this his realme, & alſo a great numbꝛe of the beſt lerned honeſteſt and moſt vertuouſe ſoꝛte of the doctours of dyuinity, men of diſcretion iudgemente and good diſpoſition of this ſaid realme, to thintent that accoꝛdyng to the very goſpell and lawe of god, without any parcyall reſpecte oꝛ affectyon to the papiſticall ſoꝛte oꝛ any other ſecte oꝛ ſectes what ſo euer they be, they ſhuld declare by wꝛitynge, and publiſh aſwell the pꝛincipall articles and poyntes of our fayth and beleue, with the declaration true vnderſtandyng and obſeruation of ſuche other expedient poyntes, as by them with his gracis aduiſe coũſayle & conſent ſhalbe thought nedefull and expedient: And alſo foꝛ the lauful rites ceremonies and obſeruatiõs of goddis ſeruice within this his gracis realme. And foꝛ as moch as the true diffinition determination & declaration therof requireth ripe and mature deliberation and aduyſe, and that ſo high and godly thinges may not raſhely be defined determined and ſet foꝛthe, noꝛ be aſtrycte oꝛ reſtrayned to this pꝛeſent ſeſſyon oꝛ any other ſeſſion of this parliament, but from tyme to tyme be dyſſyned determyned concluded and publiſhed, as the caſe ſhall require, and as his maieſty, with the aduyſe of his moſt honoꝛable counſayle, and ſuche as his highnes hath appointed, oꝛ ſhal from tume to time appointe to the ſame, ſhall thinke moſt conuenient. Be it therfoꝛe enacted oꝛdeyned & eſtabliſhed by the kynges maieſty, with thaſſent of the loꝛdes ſpiritual and tempoꝛal, and the comons in this pꝛeſẽt parliamẽt aſſembled, and by auctoꝛite of the ſame, that al and euery determinations declarations decrees diffinityons reſolutions and oꝛdinances, as accoꝛding to goddis woꝛde and Chꝛiſtes goſpel, by his maieſtyes aduiſe and confirmation by his letters patentes vnder his graces great ſeale, ſhal at any tyme hereafter be made ſette foꝛthe declared decreed diffined reſolued and oꝛdeyned by the ſayd archebyſſhops byſſhhopes and doctours nowe appoynted, oꝛ other perſons hereafter to be appoynted, by his ropall maieſty, oꝛ els by the hole clergy of Englande, in and vpon the

matter

matter of Chriſtis relygion, and the chriſten fayth, and the laufull rites ce-
temonies and obſeruations of the ſame, ſhall be in all and euery poynt li-
mitation and circumſtaunce therof, by all his gracis ſubiectes, and other
reſiantes and inhabitauntes within this his gracis realme, and other his
gracis dominions, fullye beleued obeyed obſerued and perfourmed to all
purpoſes intentes conſtructions and interpretations, vpon the peynes and
penalities therin to be compriſed, as if the ſame determynations declarati-
ons decrees diffinitions reſolutions and ordynaunces and euery of them,
with the peynes and penalities therin compriſed, had bene were or ſhuld be
by expreſſe wordes termes and ſentences playnly and fully made ſet forthe
declared reherſed and conteyned in this preſent act: any vſe cuſtome or ſta-
tute heretofore had vſed obſerued or accuſtomed to the contrarye therof in
any wyſe not withſtandynge.

¶ Prouyded alwaye that nothyng ſhalbe done ordeyned diffyned or pro-
uyded by auctoritie of this acte, whiche ſhall be repugnant or contraryant
to the lawes and ſtatutes of this realme: any thyng in this acte conteyned
to the contrary therof not withſtandynge.

¶ The reſumption of extraordynary grantes and licences of abſence and reuertions in the towne of Calais and the marches of the ſame, and in Barwyk, & of the ſheriffwikes for lyfe in Wales. Ca. xxvii.

WHERE dyuerſe of the kynges ſubiectes by their ſyniſter and ſubtyll infor-
mation and meanes haue heretofore had and ob-
teyned of the kynges maieſtye, as well by letters patentes as
by bylles and warrantes aſſigned by his gracis hand, diuerſe
grauntes for terme of lyfe and lyfes of diuers offices fees wa-
ges and other profytes beinge extraordinary, and not the ordynary offices
fees wages or profytes of the garyſons within the townes of Calais Gui-
ſnes Hammes Rupſ banke, and the marches of the ſame, and in the towne
of Barwike: And haue lykewyſe obtayned of the kynges highnes diuers
eſpecialll warrantes and lycences for to be abſent and none reſydent in and
vppon their ordinary offices within the ſayde townes and marches: And
where alſo dyuerſe of the kynges ſubiectes of their ſiniſter and ſubtyl mea
nes haue lykewyſe obteyned of the kynges maieſtye for terme of lyfe and
lyfes, dyuers grauntes vnto them made by the kynges gracis letters pa-
tentes of dyuers offyces of ſhyrefkewykes within the kynges dompnions
of Wales, contrary to the common welth of the countrey there, not only to
the great vnſuretie of the ſayd townes and places aboue reherſed, but alſo
to the great diſquietynge verationand trouble of the kynges louynge and
obedient ſubiectes. For reformation whereof, be it enacted ordeyned and
eſtablyſhed by thauctoritie of this preſent parlyament, that all and ſyngu-
lar ſuche letters patentes warrantes and lycences heretofore graunted or
made by the kynges maieſty to any perſon or perſons, as is aforeſayd, and

euery

euery of them, shall by the auctority afore said frome and after the first day of September next comynge, be clerely voyde frustrate and of none effecte to all intentes constructions and purposes. And also that all and syngular grantes of the reuercion or reuercions of any office or offices in the townes aboue reherced and marches of the same, shall by the auctoritie aforesayde, be lykewise voyde frustrate and of none effecte to all intentes & purposes.

¶ An act that lessees shal enioy theyr fermes agaynst the tenantes in tayle or in the right of their wiues or churches. &c. Cap. xxviii.

WHERE great numbre of the kinges subiectes haue heretofore taken leasses of landes tenementes and other hereditamentes for terme of yeres, and dyuers of them for terme of lyues, and haue gyuen and payde great fynes and great summes for the same, and also haue ben at great costes and charges, aswell in and about great reparations and buyldynges vpon their sayde fermes, as otherwise, concernyng their same fermes: Yet not withstandynge the sayde fermours, after theyr deathes or resygnations of their leassours, haue ben and be dayely with greate crueltie expulsed, and put out of their sayde fermes and takynges, by the heyres or successours of their said lessours, or by such persons as haue interest therin after the deathes or resignations of their said lessours, by reason of priuye gyftes of entaile, or for that the leassours had nothynge in the landes tenementes or other hereditamentes so letten, at the tyme of the leasses therof made, but only in the tyght of their wyues, or suche other lyke cause, to the great impouerysshment, and in maner vtter vndoing of the said fermours. For reformation wherof, be it ordeyned established and enacted by the kyng our souerayne lorde, the lordes spirituall and temporall, and the commons in this presente parlyament assembled, and by auctoritie of the same, that all leases hereafter to be made of any manours, landes, tenementes, or other heredytamentes, by wrytynge indented vnder seale for terme of yeres, or for terme of lyfe by any persone or persons, beyng of full age of one and twenty yeres, hauyng any estate of inheritaunce, eyther in fee symple, or in fee tayle, in theyr owne tyght, or in the tyght of theyr churches or wyues, or ioyntly with theyr wyues, of any estate of inheritaunce made before the couerture or after, shall be good and effectuall in the lawe agaynste the leassours, theyr wyues heires and successours, and euerye of theym, accordynge to suche estate as is comprysed and specifyed in euerye suche indenture of lease, in lyke maner and fourme as the same shulde haue ben, yf the leassours therof, and euery of them, at the tyme of the makynge of suche leasses, had bene lawfully seased of the same landes tenementes and hereditamentes comprysed in suche indenture, of a good perfect and pure estate of fee symple therof to their owne only vses.

¶ PROVIDED alwaye, that this acte or any thynge therein conteyned,

shall

ſhall not extende to any leaſes to be made of any manours landes tenementes or hereditamentes, being in the handes of any fermour or fermors by vertue of any olde leaſe, onleſſe the ſame olde leaſe be expired ſurrendred or ended within one yere next after the makyng of the ſayde new leaſe, nor ſhall extende to any graunte to be made of any reuerſion of any manours landes tenementes or hereditamentes, nor to any leaſe of any manours landes tenementes or hereditamentes, which haue not moſt commonly ben letten to ferme or occupied by the fermours therof by the ſpace of .xx. yeres next before ſuche leaſe therof made, nor to any leaſe to be made, without impeachement of waſte, nor to any leaſe to be made aboue the numbre of one and twenty yeres, or thre liues at the moſte from the day of makynge therof. And that vppon euery ſuche leaſe, there be reſerued yerely durynge the ſame leaſe, dewe and payable to the leaſſours, their heires and ſucceſſours, to whome the ſame landes ſhulde haue commen after the deathes of the leaſſours, if no ſuche leaſe had ben therof made, and to whome the reuerſion therof ſhal apperteyne, accordyng to their eſtates and intereſtes, ſo moche yerely ferme or rent or more, as hathe bene moſte accuſtomablye yelden or payed for the manours landes tenementes and heredytamentes ſo to be lettyn within .xx. yeres nexte before ſuche leaſſe therof made, & that euery ſuche perſon and perſons, to whome the reuerſion of ſuche manours landes tenementes or hereditamentes ſoo to be letten, ſhall apperteyne, as is afore ſayde, after the dethes of ſuch leſſours or their heirs, ſhall and may haue ſuche lyke remedy and auauntage, to all ententes and purpoſes, agaynſte the leſſees thereof, their executours and aſſignes, as the ſame leſſour ſhulde or myght haue hadde agaynſte the ſame leſſees: Soo that if the leaſſour were ſeaſed of any eſpecyalle eſtate tayle of the ſame heredytamentes, at the tyme of ſuche leaſſe, that the yſſue or heyre of that ſpecyall eſtate, ſhall haue the reuerſion, rentes, and ſeruices, reſerued vppon ſuche leaſſe, after the deth of the ſayd leſſour, as the leſſour hym ſelf myght or ought to haue had, if he had lyued.

¶ PROVIDED ALVVAY THAT the wyfe be made partye to euerye ſuche leaſſe, whiche hereafter ſhall be made by her houſebande, of anye manoures, landes, tenementes or heredytamentes, beynge the inherytaunce of the wyfe, and that euerye ſuche leaſſe be made by indenture in the name of the houſeband and his wyfe, & ſhe to ſeale to the ſame: And that the ferme and rente be reſerued to the houſeband, and to the wyfe, and to the heires of the wyfe, accordynge to her eſtate of Inherytaunce in the ſame. And that the houſebande ſhall not in any wyſe alyene, diſcharge, graunte, or gyue awaye the ſame rente reſerued, nor any parte thereof longer thanne durynge the couerture, without it be by fyne leuyed by the ſayde houſebande and wyfe: But that the ſame rente ſhall remayne, diſcende, reuerte, or comme, after the deathe of ſuche houſebande, vnto ſuche perſonne or perſons, and their heires,

in ſuche maner and ſorte, as the landes ſo leaſed ſhulde haue done, yf noo ſuche leaſe had therof ben made.

¶ Prouided alſo, that this acte extende not to gyue any libertie or power to any perſon or perſons, to take any mo fermes leaſſes or takynges of any manors landes tenementes or other hereditamentes, than he or they ſhuld or myght laufully haue done before the makynge of this acte: nor extende to gyue any lybertie or power to any perſon or vycar of any churche or vicarage, for to make any leaſe or graunt of any their meſſuages landes tenementes, tythes, profytes or hereditamentes belonging to their churches or vycarages, otherwiſe or in any other maner, than they ſhulde or myghte haue done before the makyng of this act: Any thinge conteyned in this act to the contrary not withſtandyng.

¶ And furthermore be it enacted by auctorytye afore ſayde, that all leaſes at any tyme within the ſpace of thre yeres next before the .xii. day of Apryll, in the .xxxi. yere of our ſoueraygne lorde the kynges reygne, made by wrytyng endented vnder ſeale by any perſon or perſons of full age, of hole memory, not vnlaufully coarcted, nor beynge couerte baron, for terme of yeres of any manours landes tenementes or other hereditamentes, whereof the leaſſour or leaſſours were ſeaſed of any eſtate of inheritaunce of and in the ſame to their owne only vſe at the tyme of makyng any ſuche leaſe thereof, and whereof the leaſſees their executours or aſſignes be now in poſſeſſion by vertue of the ſame leaſe, and noo cauſe of reentre or forfayture thereof hadde nor made, ſhall be good and effectuall in the lawe agaynſte the leſſours, their heires and ſucceſſours, and the heires and ſucceſſours of euery of theym, accordyng to the couenauntes artycles and agreementes ſpecyfied in euery ſuche indenture of leaſe. So alwayes there be reſerued and yerely payable duringe the ſame leaſe, to the ſayde leaſſours, their heyres or ſucceſſours, or to ſuche other as ſhulde or ought to haue hadde the ſame manours, landes, tenementes or hereditamentes ſo leſſed, after the deceſſe of ſuche leſſours, in caſe no ſuche leaſe hadde thereof bene made, as moche yerely rent for the ſame, as was at any tyme therfore yelden or payd within xx. yeres next before the makyng of any ſuch leaſe, or els ſuch leaſes tobe of no other force ne effect thã they were before the makyng of this preſent act.

¶ And moreouer for certayne conſiderations be it enacted by auctority aforeſayd, that no fyne feoffement or other act or actes hereafter to be made ſuffered or done by the houſ bãd onely, of any manours landes tenementes or hereditamentes, being the inheritance or freehold of his wyfe during the couerture betwene them, ſhall in any wyſe be or make any diſcontinuaunce therof, or be preiudicial or hurteful to the ſaid wyfe or to her heires, or to ſuche as ſhall haue right title or intereſt to the ſame by the death of ſuch wyfe or wyues: But that the ſame wyfe and her heires, and ſuch other, to whom ſuche right ſhall apertayne after her deceſſe, ſhall and may than laufully entre into all ſuch manors landes teſites and hereditamentes, accordyng to their rightes and titles therin, any ſuche fyne feoffement or other act to the

contrary

contrary not withstandyng: fynes leuied by the husbande and wyfe) wherunto the sayd wyfe is party and preuy) onely except.

¶ Prouyded furthermore, that this clause or acte extende not to gyue any lybertie to any suche wife, or to her heires, for to auoyd any lease hereafter to be made of any thenheritance of the wyfe by her husband & her for terme of .xxi. yeres, or vnder, or any her inheritaunce for terme of thre lyues at the vttermoste, whervppon as moche yerely rent or more is or shalbe reserued, & yerely payable during the same lease, as was at any tyme therfore yelden or payde within .xx. yeres next before the makynge of any suche leasse, accordynge to the tenour of this present acte: any thynge therin conteyned to the contrary not withstandynge.

¶ Prouyded also that this acte extend not to make good any lease or leasses heretofore made by any ecclesiasticall persone or persones by theyr couent or common seale, whyche be made voyde or taken away by auctoritie of any acte of parlyament heretofore made, nor extende to make good any leasse or leasses heretofore made by any ecclesiasticall person or persons, nowe beinge attaynted of treason, vnder theyr couent seale or otherwyse, or by any other person or persons nowe beinge attaynted of treason by acte of parlyamente, or otherwyse: But that all and syngular suche leasse and leasses and euery of them nowe made, or herafter to be made, shalbe of such lyke effect and strength in the lawe, and none other, as they and euerye of them were before the makynge of this acte: any thynge before mencyoned in this acte to the contrary therof not withstandynge.

¶ An acte concernyng customable landes in Oswald bek soke. Cap. xxiv.

BE it enacted ordeyned & establysshed by the kyng our souerayne lorde, and by thassent of the lordes spirituall and temporal, and the cōmons in this present parlyament assembled, & by auctoritie of the same, that all meases landes tenētes and other hereditamentes being gildable, set lyeng & being within the lordeship & soke of Oswaldbek, otherwise Oswald beck soke within the cōuty of Notinghā, wherof any ꝑson or ꝑsons be now seised in possessiō reuersion or remainder in fee symple or fee tayle, whiche be pretended by a custom there to be partible betwene & amōgest heires males, shal from hensforth be clerely changed frō the said custom, & in no wise herafter be departed or departible by any custom there amonges & betwene heires males, but shal remayn reuert abide discend come & be after & accordyng as meases landes tenementes and other heredytamentes do or maye dyscende remayne reuerte abyde come or be, accordyng to the cōmon lawe of this realme, and in lyke maner to descend & be discendable remayn reuert com & be inheritable to ẏ heire or heires after and accordyng to the sayd common lawe of this realme of Englande: and that al and syngular the said meases lādes tenementes and hereditamentes shal from hensforth be accepted taken inheryted demed and adiuged to be lyke as landes tenementes and other hereditamentes at the

cõmon lawe of this realme, and in ſuche maner and fourme as if the ſame meaſes landes tenementes & other hereditamentes had neuer ben departed or departible betweene and amongeſt heires males: Any lawe vſage or cuſtome within the ſayde lordſhyp or ſoke heretofore hadde accepted or vſed to the contrary therof not withſtandyng.

¶ An acte concernynge myſpleadyng, ieofayles, and attourneys. Ca. xxx.

FOr as moche as the party playntifes & demandantes in al maner of actions and ſuites as well real as perſonall at the common law of this realme, before this tyme haue ben greatly delayed and hindered in their ſuites and demaundes, by reaſon of the crafty ſubtyll & negligent pledinges of the playntifes or demandantes, defendantes, or tenantes, where any action or demand hath ben ſued had or made, aſwell in miniſtryng of their declarations and barres, as alſo in their replications, reioynders, rebutters, ioynyng of iſſues, and other pleadynges, to the great hurte delay and hinderance of the ſayde playntifes or demandantes, or to the veration of the defendantes or tenantes: In ſomoche that when the iſſues ioyned in the ſame actions betwene the parties to the ſame hath ben tryed and founde by the verdyte of. xii. or mo indifferent perſons, for the ſaid plaintifes or demaundantes, or for the tenantes or defendantes, and the Juſtyces redye to gyue iudgement for the ſayde parties, for whom the ſayde iſſue was founde: the ſame parties haue bene compelled by the courſe and order of the common lawe of this realme, afore this tyme, to replede, & the ſaid verdites ſo giuen, as is afore reherſed to be taken as voyde and of none effect, ſometyme bycauſe the iſſues haue ben myſioyned & a ieofayle, and ſomtyme by taking auãtage of the parties owne myſpleadyng, or in the purſuyng myſconueying or diſcontinuing of proces of any of the parties, & for diuers other cauſes, the which is thought aſwel a great ſclander to the ſaid cõmon lawe of this realme, and to the miniſters of the ſame, as alſo a plain delay & hinderãce vnto the ſaid parties, in that they ſhuld not haue their iugemẽtes, whã the iſſue hath ben founde & tried, as is aforſaid, to their great coſtis & charges. Be it therfore enacted by the kyng our ſouerayn lord, the lordes ſpirituall & temporal, and the cõmons in this preſent parliament aſſembled, and by thauctorite of the ſame, that from hensforth, if any iſſue be tried by the othe of. xii. or mo indifferent menne, for the partie plaintife or demaundaunt, or for the partie of the tenaunt or defendaunt, in any maner of action or ſute at the common lawe of this realme, in any of the kynges courtes of recorde: that than the Juſtyce and iuſtyces, by whome iudgement therof oughte to be gyuen, ſhall procede and gyue iudgement in the ſame, any myſpleadyng lacke of colour, inſufficient pleadynge, or ieofayle, any miſcontinuance or diſcontinuaunce or myſconueyeng of proceſſe, myſioynyng of the iſſue, lacke of warrant of attourney for the partie, agaynſt whome the ſame iſſue ſhall happen to be

tried

tryed or any other defaute or negligence of any of the parties, their counsellours or atturneys, had or made to the contrary not withstanding. And the sayde iudgementes therof soo to be had and gyuen, shall stande in full strength and force to al intentes and purposes, accordynge to the sayd verdicte, without any reuersell or vndoynge of the same by wrytte of errour or of false iudgement, in lyke fourme as though no suche default or negligence had neuer ben had or committed.

¶ PROVIDED alway, and be it enacted by thauctoritye aforesayde, in auoydynge of errors and other greate inconueniences, that dayly doo fortune to rise and growe in the kynges courtes of record at Westm̃, through the negligence of attourneys, bycause they delyuer not their warrantes of attournaye, in suche actions and suites, wherin they be named attournay, accordynge to the lawes of this realme, that all and euery suche persone and persons, whiche shall fortune hereafter to be attourney, to or for any other persone or persones, beinge demaundaunt or playntyfe, tenaunte or defendaunte in any action or suite, at any tyme hereafter commensed or taken in any of the kynges sayde courtes, and pleade to an yssue in the same action or suite: That then the same attourneys, and euery of theym from tyme to tyme, shall delyuer or cause to be delyuered his or their sufficyent and lawful warrante of attournay, to be entered of record for euery of the sayde actions or suites, wherin they be named attourneyes, to the officer or his deputye, ordeyned for the receypt and enterynge therof, in the same terme whan the sayde issue is entered of record in the sayde Courte, or afore, vppon peyne of forfaytynge vnto our sayde soueraygne lorde tenne poundes sterl. for euery defaut for none diliuering of the sayd warraunt of attourney: And also further to suffre suche emprisonement as by the discretion of the Justices of the court for the tyme being, where any suche defaut shall fortune to be had or made, shalbe thought conuenient: This present acte, with the prouiso, to endure tyll the last daye of the nexte parlyament.

¶ *An acte for the auoydynge of recoueries by collusion by tenauntes for terme of lyfe.* Cap. xxxi.

VHERE diuerse persons being seased of landes tenementes and hereditamentes as tenantes by the courtesy of England, or other wyse onely for terme of life or liues, haue heretofore permitted and, suffered other persons by agreement e or couyne betwene them had, to recouer the same landes and tenementes and other hereditamentes ageynste the same particular tenauntes in the kynges courte, by reason wherof those persons, to whome the reuertion or remaynder therof hathe belonged, haue after the dethes of the same particular tenantes ben driuen to their actions for the recontinuance and obteynynge of the sayde landes and tenementes so recouered, to their great and importable charges costes and expenses, and somtyme haue ben clerely disherited of the same, to their manyfeste iniury and wronge in that behalfe.

For remedy wherof, be it enacted by the kynge our ſouerayngne lorde, with the aſſent of the lordes ſpirituall and temporall, and the commons in this preſent parliament aſſembled, and by auctority of the ſame, that all ſuche recoueries hereafter to be had or proſecuted by agrement of the parties or by couyn, as is aforeſayd, agaynſt any ſuche particular tenant, of any landes tenementes or hereditamentes, wherof the ſame particular tenaunt is or hereafter ſhall be ſeaſed as tenant by the curteſy of Englande, tenant in tayle after poſſibilitie of iſſue extincte, or otherwyſe for terme of lyfe, ſhall from henceforth as ageynſt ſuche perſon or perſons, to whom the reuerſion or remainder therof ſhall than appertayne, and againſte their heires and ſucceſſours, be clerely and vtterly voyde and of none effecte, any lawe or vſage heretofore had to the contrary therof in any wyſe not withſtanding. ¶ Prouided alway that this acte nor any thinge therin conteyned, ſhall extend or be preiudicial to any perſon or perſons that ſhall hereafter by good title recouer any landes tenementes or hereditamentes, without fraude or couin, ageynſt any ſuche particular tenaunte, as is before mencioned, by reaſon of any former ryght or title, nor to auoyde any recouery hereafter to be had ageynſt any ſuche particular tenaunt by thaſſent and agreement of thoſe in the reuerſion or remaynder, ſo that the ſame aſſent & agrement do appere of recorde in the kinges court, but that all and euery ſuche recouery and recoueries, ſo to be had or proſecuted vppon former rightes or titles, or by thaſſentes or agrementes of thoſe in the reuerſion or remaynder, apperyng of recorde as is aforeſayde, ſhall ſtande and be in like force ſtrength and effecte, as they were before the makyng of this act: any thing herein conteyned to the contrary in any wyſe not withſtandinge.

¶ An acte concernynge ioyntenauntes for terme of lyfe or yeres. Cap. xxxii.

FOR as moch as in the parliament begon at weſtm̃ the. xxviii. day of Apryll, and there continued tyll the. xxviii. day of June, the. xxxi. yere of the kinges moſte noble and victoriouſe reygne that nowe is, It was amongeſt other thynges there enacted & eſtablyſſhed, that al ioynt tenantes and tenauntes in common, that then were or hereafter ſhuld be of any eſtate or eſtates of inheritaunce in their owne rightes or in the right of their wifes, of any manours landes tenementes or hereditamentes within this realme of Englande wales or marches of the ſame, ſhall and may be coacted & compelled by vertue of the ſaid act, to make partition betwene them of al ſuch manors landis tenētes & hereditamētes as they thā held or hereafter ſhuld hold as ioyntenantes or tenātes in cōen, as more plainly at large appereth by the ſaid eſtatute. And foraſmoch as the ſaid eſtatute doth not extende to iointenātes or tenātes in cōmon for terme of lyfe or yeres, nother to iointenātes or tenātes in cōmon, where one or ſome of thē haue but a ꝑticular eſtate for terme of life or yeres,

and

and thother haue estate or estates of inheritaunce of and in any manours landes tenementes and hereditamentes. Be it therfore enacted by ꝑ kinge our soueraine lord, and by the assent of his lordes spirituall and temporall, and the commons in this presente parlyament assembled, and by the auctority of the same, that al iointenauntes and tenauntes in common and euery of them, which now hold or hereafter shall holde iointly or in common for terme of lyfe yere or yeres, or iointenauntes or tenauntes in common, where one or some of them haue or shall haue estate or estates for terme of lyfe or yeres, with the other that haue or shall haue estate or estates of inheritaũce or freholde in any manours landes tenementes or hereditamentes, shal and may be compellable from hensforth by writ of partition to be pursued out of the kynges court of Chauncery vpon his or theyr case or cases, to make seueraunce and partition of all such manours landes tenementes and hereditamentes, which they hold iointly or in common for terme of life or lyfes, yere or yeres, where one or some of them hold iointly or in commõ for terme of lyfe or yeres with other, or that haue an estate or estates of inheritaunce or freholde.

¶ Prouided alway and be it enacted that no suche partition nor seuerance hereafter to be made by force of this acte, be nor shalbe preiuditiall or hurtfull to any person or persons theyr heyres or successours, other than suche which be parties vnto the sayd partition theyr executours or assignes.

¶ That wrongfull disseysin is no discent in the law. Ca. xxviii.

WHERE DYVERS persons of their insatiable mindes haue heretofore, by strength, & without title, entered into manours landes tenementes & other hereditamentes, & wrongfully disseased the rightful owners & possessours therof, & so being seased by disseisin, haue therof dyed seased, by reason of which dyeng seased, ꝑ disseisie, or such other persons as before suche discent might haue laufully entred into ꝑ said manours landes and tenementes, were & be therbi clerely excluded of their entre in to the said manours landes & tenementes, & put to their action for their remedy & recouery therin, to their great costes and charges. For reformation wherof be it enacted by the auctority of this presente parlyament, that the dyeng seased hereafter of any suche disseisour of or in any manours landes tenementes or other hereditamẽtes, hauyng no right or title therin, shall not be taken or demed from hense forth any suche discent in the law, for to tolle or take away the entre, of any such person or persons, or their heires, whiche at the tyme of the same discente had good and lawfull title of entre into the sayde manours landes tenementes or hereditamentes: Except that suche disseisour hath had the peasible possession of such manours landes tenementes or hereditamentes, wherof he shal so dye seased, by the space of fyue yeres next after the disseisyn therin by hym com-

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mytted, without entre or continuall clayme by or of such person or persons as haue lawfull title therynto.

¶ An act concernynge grauntees of reuersions to take auauntage of the conditions to be performed by the lessees. Cap. xxxiii.

VHERE BEFORE this tyme dyuerse as well temporall as ecclesiastical and religiouse persons, haue made sundry leasses demyses and grauntes to diuerse other persones of sundry manors lordshyppes fermes meases landes tenementes medowes pastures or other hereditamentes, for terme of life or lyues, or for terme of yeres by writyng vnder their seale or seales, conteynynge certayne conditions couenantes and agreementes to be performed, as well on the part and behalfe of the said lessees and grauntees their executours and assignes, as on the behalfe of the sayde leessours and grauntours, their heires and successours. And forasmoche as by the cõmon lawe of this realme no stranger to any couenant action or condition shall take any aduauntage or benefite of the same by any meanes or waies in the lawe, but onely suche as be parties or pryues therynto, by the reason wherof as well al grauntes of reuertions, as also al grauntes and patẽtes of the kynge our souerayne lord of sundry manours lordshippes graunges fermes meases landes tenementes medowes pastures or other hereditamẽtes late belongynge to monasteries and other religiouse and ecclesiasticall houses, dissolued suppressed renoũced relynquyshed forfayted gyuen by or by other meanes come to the handes and possession of the kynges maiestie, syns the fourth day of february, the. xxvii. yere of his moste noble reigne, be excluded to haue any entre or action ageinst the said lessees and grauntees their executours or assignes, which the lessours before that time mought by the lawe haue had agaynst the same lessees for the breche of any condition conuenante or agremente comprised in the indentures of their sayde leesses dumises and grauntes. Be it therfore enacted by the kynge our souerayne lorde, the lordes spirituall and temporall, and the commons in this present parlyament assembled, and by auctoritie of the same, that as well al and euery person and persons, and bodies politike, their heires successours and assignes, which haue or shal haue any gifte or graunt of our said soueraign lord by his letters patẽtes of any lordships manors landes tenũtes rentes psonages tythes portions or any other hereditamẽtes, or of any reuersion or reuersions of the same, which dyd belong and appertayn to any of the said monasteries and other relygyouse and ecclesiasticall houses, dissolued suppressed relynquyshed forfeyted or by any other meanes come to the kynges handes syns the sayd fourth day of february, the. xxvii. yere of his most noble reigne, or whiche at any tyme heretofore dyd belonge or appertayne to any other person or persons, and after came to the handes of our sayd soueraigne lorde, as also all other persons, beinge grauntees or assignees to or

by

by our ſayd ſouerayn lord the kyng, or to or by any other perſon or perſons than the kynges hyghnes, and the heyres executours ſucceſſours and aſſignes of euery of them, ſhall and may haue and enioy lyke aduauntage agaynſt the leſſees their executours adminiſtratours and aſſignes, by entre for none payment of the rent, or for doing of waſt, or other forfayture: and alſo ſhall and may haue and enioy al and euery ſuche like and the ſame aduauntage benefit and remedies by action onely for not perfourmyng of other conditions couenauntes or agreementes, conteyned and expreſſed in the indentures of theyr ſayd leaſſes dimiſes or grauntes, agaynſt all and euery the ſayd leſſees and fermours and grauntees, their executors admynyſtratours and aſſignes, as the ſayd leſſours or grauntours theym ſelfes or theyr heyres or ſucceſſours ought ſhuld or myght haue had and enioyed at any tyme or tymes, in lyke maner and fourme, as if the reuerſion of ſuch landes tenementes or heredytamentes had not come to the handes of our ſaid ſouerain lord, or as our ſayd ſouerayn lord his heires and ſucceſſours ſhuld or myght haue had and enioyed in certayn caſes by vertue of the act made at the firſt ſeſſion of this preſent parliament, if no ſuch graunt by letters patentes had ben made by his highnes.

¶ Moreouer be it enacted by auctoritie aforeſayd, that al fermours leſſees and grauntees of lordſhyps manours landes tenementes rentes perſonages tythes portions or any other heredytamentes for terme of yeres life or lyues, theyr executours adminiſtratours and aſſignes, ſhall and may haue lyke action aduauntage and remedy agaynſt all and euery perſon and perſons & bodies politike, theyr heires ſucceſſours and aſſignes, which haue or ſhall haue any gyft or graunt of the king our ſouerain lord, or of any other perſon or perſons, of the reuerſion of the ſame manours landes tenementes and other hereditamentes, ſo letten, or any parcell therof, for any condition couenaũt or agrement conteyned or expreſſed in the indentures of their leaſſe and leaſſes, as the ſame leſſees or any of them myght and ſhuld haue had agaynſt theyr ſayd leſſours and grantors, theyr heyres or ſucceſſours, al benefites and aduauntages of recoueries in value by reaſon of any warranty in deede or in law, by voucher or otherwyſe onely excepted.

¶ PROVIDED alwayes that this acte, nor any thynge or thynges therin conteyned, ſhall extende to hynder or charge any perſon or perſons, for the breche of any couenant or condition compriſed in any ſuch writynge as is aforeſayd, but for ſuch couenantes and conditions as ſhalbe broken or not perfourmed after the firſt day of September next commynge, and not before; any thing before in this act conteined to the contrary therof not withſtandyng.

☞ *An act that Juſtyces of the forreſtes may make deputies.* Cap. xxxv.

FOR AS moche as it is moche doubted, whether the kynges iuſtices of his forreſtes parkes and chaſes within this realme may lawfully make or depute any deputie or deputies for the exerciſing of their ſayd romethes or office of iuſtice of the forreſtes. For the auoydinge of whiche ambiguitie

and

and doubte, and to the intente that the lawes of the forreste maye be more truly and spedyly executed, it may be enacted by the kyng our souerain lord by thassente of the lordes spirituall and temporal, and the commons in this present parliament assembled, and by auctoritie of the same, that from hens forthe all and euery the iustyce and iustyces of the kynges forestes parkes and chases within this realme, whiche nowe be or hereafter shalbe, by their writyng sealed with the seale of their offyce, shall make assigne depute and appoynte as many deputie or deputies for the exercisyng of the same office of the iustice or iustices of the forests, as to such iustice or iustices from time to tyme shall be thought conuenient, whiche deputie and deputies soo appointed, shall haue lyke power and auctority to do and execute all thynges concernyng the kynges forestes parkes and chases, and all other thynge concernyng the office or offices of the iustice of the forestes, to all intentes and purposes, and in as large and ample maner and fourme, as the same iustice or iustices myght or may laufully do or execute by the lawes of this realme, and as though the same iustice or iustices were there personally present in his or their owne persone or persones.

¶ An acte for the exposition of the statute of fynes. Cap xxxvi.

FOR AS moche as in the fourthe yere of the raygne of the late kyng of famous memory kynge HENRY the seuenth, father of our moste dread souerayn lorde the king that nowe is, it was amonge many good and sundry statutes and ordinances, than made for the common welth, enacted ordeined and establysshed, the forme and maner how fynes shuld be leuyed with proclamations in the kynges court before his iustices of his common place, and that suche fynes with proclamations so had and made, to thintent to voyde all strykes & debates, shuld be a final ende, and conclude aswel priuies as strangers to the same, certain persons excepted & saued, as in the same estatute more plainly appereth. Sithen whiche tyme by diuersitie of interpretation and expoundyng of the same estatute, it hath ben and yet is by some maner of persons doubted and called in question, whether fynes with proclamntions leuyed or to be leuyed before the sayd iustices by any person or persons, hauyng or claymynge to haue, in any manors landes tenementes or hereditamentes, comprysed in the same fyne, in possession reuersion remaynder or in vse, any maner of estate taile, shuld immediatly after the sayde fyne leuyed, engrossed, and proclamation made, vnde the ryghte heyre and heyres of suche tenaunt in tayle, and euery other person or persons, seised or claymynge to their vse or vses, by occasion wherof dyuers debates controuersyes suites & troubles haue ben begon moued & had within this realm, & mo be like to ensue, if remedy for the same be not prouided: For the establysshement and reformation wherof, and for the sure and syncere interpretation of the said estatute, in auoydynge all daungers, contentions, controuersyes, ambygupties, and doubtes, that hereafter maye ensurge, growe, or happen,

Our

Our ſouerain lord the kinge, with the aſſent of the lordes ſpirituall & temporall, and the commons in this preſent parlyament aſſembled, and by auctorite of the ſame, hath enacted and ordeyned, that all and ſingular fynes, as well heretofore leuyed as hereafter to be leuied, before the ſayde iuſtices with proclamations, accordynge to the ſayd eſtatute, by any perſon or perſons of full age of .xxi. yeres, of any manours landes tenementes or hereditamentes, before the tyme of the ſame fyne leuyed, in any wyſe entailed to the perſon or perſons ſo leuieng the ſame fyne, or to any the auncestour or auncestours of the ſame perſon or perſons, in poſſeſſion, reuerſion, remainder, or in vſe, ſhalbe immediatly after the ſame fyne leuied engroſed & proclamations made, adiudged accepted demed and taken to all intentes and purpoſes, a ſufficient barre and diſcharge for euer againſt the ſayd perſon and perſons and theyr heyres claymynge the ſame landes tenementes & hereditamentes, or any parcell therof, onely by force of any ſuch entayll, and agaynſt all other perſons claymynge the ſame, or any parcell therof onely to theyr vſe, or to the vſe of any maner of heyre of the bodies of them, any ambiguity doubt or contrarioſite of opinion riſen or growen vpon the ſaid eſtatute to the contrary not withſtandynge.

¶ Prouided alway that this act nor any thinge therin cõteyned, ſhall extẽd to barre or exclude the lawfull entree title or intereſt of any heire or heires, perſon or perſons, heretofore gyuen, or hereafter to be gyuen growen or accrewed to them or any of them, in or to any manours landes tenementes or hereditamentes by reaſon of any fyne or fynes, heretofore leuied, or here after to be leuied by any woman, after the deth of her huſband, cõtrary to the fourme intent and effect of the eſtatute made in the. xi. yere of the ſayde late kynge HENRY the. VII. of any manours landes tenementes and hereditamentes of the inheritaunce or purchaſe of the ſayd huſband, or of any his auncestours, gyuen or aſſigned to any ſuche woman in dower for terme of lyfe or in tayle, in vſe or in poſſeſſion, but that the ſame act made in the ſaid xi. yere of the ſayd late kynge HENRY the. VII. ſhall ſtand remayne and be in full ſtrength and vertue in euery article ſentence and clauſe therein conteined, in lyke maner and fourme as though this preſent act had neuer ben had nor made.

¶ Prouided alſo that this acte ne any thynge therin conteyned, do extende to any fyne or fynes, at any tyme heretofore leuied, or hereafter to be leuied, of any lordeſhips maners landes tenemẽtes or other hereditamentes what ſoeuer they be, the poſſeſſioners and owners wherof by reaſõ of any expreſſe wordes conteyned in any eſpeciall acte or actes of pliamẽt, made or ordeined ſythen the ſayd. iiii. yere of the reygne of the ſayde late kynge HENRY the VII. ſtand be bounden or reſtraned from makyng any alienations diſcontinuances as other alterations of any of the ſame lordſhips manours landes tenementes or hereditamentes conteyned in the ſayd fyne or fynes, but that al and euery ſuch fyne and fynes, at any tyme heretofore leuied, or here after to be leuied by any ſuch perſon or perſons, or their heires, of any ſuch lorde-

lordeships manors landes tenementes or other hereditamentes, shalbe of suche lyke force and strength in the lawe, and of none other effect, then the same fyne so leuyed or to be leuyed, shulde haue ben, if this present acte had neuer ben had or made: any thynge therin contayned to the contrary therof in any wyse not withstandynge.

¶ PROVIDED also that this acte nor any thinge therin contayned, shall extende to any fyne or fynes heretofore leuyed of any manors landes tenementes or hereditamentes, nowe in sute demaunde or variaunce in any of the kynges courtes, or wherof any charters euidences or munimentes concernyng the same, be nowe in demaunde in the kinges highe court of chaūcery, nor to any fyne or fynes heretofore leuyed of any maners landes tenementes or hereditamentes, which before the first day of this present parlyament haue ben recouered gotten or obtayned, by reason of any iudgement entre decree arbytrement or other lawfull meanes, contrary to the purport intent or effect of any such fyne or fynes therof heretofore leuyed, nor to any fine or fines heretofore leuied or hereafter to be leuied by any person or persons of any manors landes tenementes or hereditamentes, before the tyme of the leuieng of the same fyne gyuen graunted or assigned to the saide person or persons, so leuieng the same fyne, or to any of his or their aūcestours in the tayle, by vertue of any letters patentes of our sayde soueraigne lord, or any of his progenitours, or by vertue of any act or actes of parlyament, the reuertion wherof at the tyme of the same fyne or fynes so leuyed beinge in our sayd souerayngne lorde, his heires or successours: But that euery such fyne and fines shalbe of lyke force strength and effect, as they were or shuld haue ben, if this act had neuer ben had nor made.

¶ *An acte for recouery of arrerages of rentes by execution of tenaunt in fee symple.* Cap. xxxvii.

FOR AS MOCHE as by the order of the common lawe the executours or administratours of tenauntes in fee symple, tenauntes in fee tayle, and tenauntes for terme of lyfes, of rentes seruyces, rente charges, rente seckes, and fee fermes haue no remedy to recouer such arrerages of the said rentes or fee fermes, as were due vnto their testatours in their lyfes, nor yet the heires of suche testatour, nor any person hauing the reuersion of his estate, after his deceasse, may distrayne or haue any lawfull action, to leue any suche arrerages of rentes or fee fermes, due vnto him in his lyfe, as is aforesayde. By reason wherof the tenantes of the demeane of suche landes tenementes or heredytamentes, out of the whiche such rentes were due & paiable, who of right ought to pay their rentes and fermes such dayes and termes as they were due, do many times kepe holde and retayne suche arrerages in their owne handes, so that the executours and admynistratours of the persons, to whom such rentes or fee fermes were due can not haue or come by the sayd arrerages of the same, towardes the payment

payement of the debtes, and perfourmaunce of the wylle of the ſayde teſtatours. For remedy wherof, be it enacted by auctorytie of this preſente parlyament, that the executours and admynyſtratours of euery ſuche perſonne or perſonnes, vnto whome any ſuche rente or fee ferme is or ſhall be dewe, and not payde at the tyme of his deathe, ſhall and may haue an action of dette for all ſuche arrerages, agaynſt the tenaunt or tenauntes that oughte to haue payde the ſayde rente or fee fermes ſoo beynge behynde, in the lyfe of theyr teſtatour, or agaynſt the executours and admynyſtratours of the ſayde tenauntes. And alſoo furthermore it ſhall be lawfull to euery ſuche executour and admynyſtratour, of any ſuche perſone or perſonnes, vnto whome ſuche rente or fee ferme is or ſhall be dewe, and not payd at the tyme of his deathe, as is aforeſayde, to dyſtrayne for the arrerages of all ſuche rentes and fee fermes, vpon the landes tenementes and other hereditamentes, whiche were charged with the payment of ſuche rentes or fee fermes, & chargeable to the diſtreſſe of the ſayd teſtatour, ſo long as the ſayd landes tenementes or hereditamentes, continue remayn and be in the ſeaſon or poſſeſſion of the ſayde tenaunte in demayne, who oughte immediatelye to haue payde the ſayde rente or fee ferme, ſoo beynge behynde, to the ſayde teſtatour in his lyfe, or in the ſeaſon or poſſeſſion of any other perſone or perſones, claymynge the ſayde landes tenementes and hereditamentes onely by and from the ſame tenaunt by pourchaſe, gyfte, or diſcent, in lyke maner and fourme as theyr ſayde teſtatour mought or ought to haue done in his lyfe tyme: And the ſayde executours and adminyſtratours ſhall for the ſame dyſtreſſe lawfully make auowry vppon theyr matter aforeſayde.

¶ PROVIDED ALVVAY, THAT this acte, nor any thynge therein conteyned, ſhall not extende to any ſuche manour lordeſhyppe or dompnyon in Wales, or in the marches of the ſame, whereof the inhabytauntes haue vſed tyme out of the mynde of manne, to paye vnto euerye lorde or owner of ſuche lordeſhyppe manour or dompnyon, at his or theyr fyrſte entree into the ſame, any ſumme or ſummes of money for the redemption and dyſcharge of al dueties forfaytures and penalities, wherwith the ſaid inhabytauntes were chargeable to any of their ſayd lordes anceſtours or predeceſſours before his ſayd entre.

¶ AND further be it enacted by thauctorittie aforeſayde, that yf any man, whyche nowe hath or hereafter ſhall haue in the ryghte of his wyfe, any eſtate in fee ſymple fee tayle or for terme of lyfe, of or in any rentes or fee fermes, and the ſame rentes or fee fermes nowe be or hereafter ſhall be due behynde and vnpayde in the ſayde wyues lyfe: than the ſayd huſbande, after the death of his ſayd wyfe, his executours and adminiſtratours, ſhall haue an action of debt for the ſayd arrerages, ageynſte the tenaunt of the demeane that ought to haue payd the ſame, his executours or admyniſtratours. And alſo the ſayd huſband after the death of his ſayd wyfe, may diſtrayn for the ſayd arrerages, in lyke maner & form as he mought haue don

yf his ſayd wyfe had ben than lyuynge, and make aduowry vpon his matter, as is aforeſayde.

¶ And lykewiſe it is further enacted by thauctoritie aforeſayde, that if any perſone or perſons, whiche nowe hath or hereafter ſhal haue any rentes or fee fermes for term of lyfe or liues, of any other perſone or perſons, and the ſayd rent or fee ferme, nowe be or hereafter ſhalbe due behynde and vnpayde in the lyfe of ſuche perſon or perſones, for whoſe lyfe or lyues the eſtate of the ſayde rent or fee ferme, dyd depende or contynue, and after the ſayde perſon or perſones doth dye: Than he vnto whome the ſayd rente or fee ferme was due in fourme aforeſayde, his executours and admynyſtratours, ſhall and may haue an action of dette againſt the tenant in demene, that ought to haue payde the ſame, whan it fyrſt was due, his executours and admyniſtratours, and alſo dyſtrayne for the ſame arrerages vpon ſuche landes and tenementes, out of the whiche the ſayd rentes or fee fermes were iſſuynge and payable, in ſuche like maner and fourme as he ought or myght haue done, if ſuche perſon or perſons, by whoſe death the aforeſaid eſtate in the ſayd rentes and fee fermes was determyned and expired, had ben in full lyfe and not deade: And the auowry for the takynge of the ſame dyſtreſſe, to be made in maner and fourme aforeſayde.

¶ An acte concernyng precontractes of maryages, and touchynge degrees of conſanguinitie. Cap. xxviii.

WHERE as heretofore the vſurped power of the biſhop of Rome, hath alwayes entangled and troubled the mere iuriſdiction and regalle power of this realme of Englande, and alſo vnquieted moche the ſubiectes of the ſame, by his vſurped power in them, as by makyng that vnlauful, whiche by goddis word is laufull, both in mariages and other thinges, as hereafter ſhall appere at more length, and tyll nowe of late in oure ſoueraygne lordes tyme, whyche is otherwyſe by lernynge taughte, than his predeceſſours in tymes paſte of longe tyme haue bene, hath ſoo contynewed the ſame, whereof yet ſome ſparkes be lefte, whyche hereafter myghte kyndell a greatter fyre, and ſo remaynynge, his power not to ſeme vtterly extincte: Therfore it is thoughte moſte conuenyente to the kynges hyghneſſe, his lordes ſpirytuall and temporall, with the commons of his realme aſſembled in this preſent parlyament, that two thynges ſpecially for this tyme be with dylygence prouyded for, whereby many inconueniences hath enſewed, and many mo elles moughte enſewe and folowe, as where heretofore dyuers and many perſones after longe contynuances togyther in matrimony without any allegation of eyther of the parties, or any other at their mariage, why ꝑ ſame mattimony ſhulde not be good iuſt and laufal, & after the ſame matrimony ſolemnyſed & conſūmate by carnall knowlege, and alſo ſomtime fruite of children enſued of the ſame mariage,

haue

haue neuertheleſſe by an vniuſt law of the byſhop of Rome, which is, that vpon pretence of a former contract made and not conſummate by carnal co pulation, for profe wherof two wytnes by that lawe were onely requyred, ben diuorſed and ſeparate, contrary to goddis lawe, and ſo the true matrymony both ſolemniſed in the face of the church, and cõſummate with bodily knowlege, & confirmed alſo with the frute of children had betwene them, clerely fruſtrate and diſſolued. Further alſo by reaſon of other prohibytions than goddis lawe admitteth, for theyr lucre by that court inuented, the diſpenſation wherof they alwayes reſerued to them ſelues, as in kynred or affinity betwene couſyn germayns, and ſo to fourth and fourth degree, carnal knowlege of any of the ſame kyn or affinitie, before in ſuche outwarde degrees, whiche els were laufull and be not prohibited by goddis law, and al bycauſe they wold get money by it, and kepe a reputation to theyr vſurped iuriſdiction, whereby not onely moche diſcorde betwene laufull maryed perſons, hath (contrary to goddis ordinaunce) aryſen moche debate & ſuite at the law, with the wrongfull vexation and great damage of the innocent party, hath ben procured, and many iuſte mariages brought in doubte and daunger of vndoyng, and alſo many tymes vndone, and laufull heires diſherited, wherof there had neuer els, but for his vayngloryous vſurpation ben moued any ſuch queſtion, ſens fredom in them was gyuen vs by goddis law, which ought to be moſt ſure and certayne. But that not withſtanding mariages haue ben brought into ſuch an incertaynte therby, that no mariage coulde be ſo ſurely knyt and bounden, but it ſhuld lye in eyther of the parties power and arbiter, caſtynge away the feare of god, by meanes and compaſſes to proue a precontracte, a kynred, an allyaunce, or a carnall knowledge, to defeate the ſame: and ſo vnder the pretenſe of theſe allegations afore reherſed, to lyue al the days of their lyfe in deteſtable adultery, to the vtter deſtruction of their owne ſoules, and the prouocation of the terryble wrathe of god, vppon the places where ſuche abhomynacions were vſed and ſuffered. Be it therfore enacted by the kyng our ſouerayne lorde, the lordes ſpirituall and temporall, and the commons in this preſent parlyament aſſembled, and by auctorytie of the ſame, that from the fyrſte daye of the moneth of July nexte cõmyng, in the yere of our lord god a thouſand fyue hundreth and fourty, all and euery ſuche maryages as within this churche of Englande, ſhall be contracted betwene laufull perſonnes, as by this acte we declare all perſonnes to be laufull that be not prohibyted by goddis lawe to mary, ſuche maryages beinge contracte and ſolemniſed in the face of the churche, and conſummate with bodyly knowlege or frute of children, or chylde, beynge hadde therin betwene the parties ſo maryed, ſhall be by auctorytie of this preſent parlyamente aforeſayde, demed iudged and taken to be laufull good iuſte and indiſſoluble, not withſtandyng any precontract or precontractes of matrimony, not conſummate with bodyly knowlege, which eyther of the perſones ſo maried or bothe, ſhall haue made with any other perſon or perſons before the tyme of contractyng that

mariage, whiche is solemnised & consúmate, or wherof such frute is ensued or may ensue as afore: and not withstandyng any dispensation prescriptiõ lawe or other thyng graunted or confirmed by acte or otherwise: And that no reseruation or prohibition, goddis lawe except, shal trouble or impeache any mariage without leuitical degrees. And that no person, of what estate degree or condition so euer he or she be, shall after the sayd fyrste day of the moneth of July aforesayd, be admytted in any of the spiritual courtes with in this the kynges realme, or any his gracis other landes and dominions, to any processe plee or allegation contrary to this foresayde acte.

☞ The iurisdiction of the great mayster of the kynges householde. Cap. xxxix.

FOrasmoche as it hath pleased the kynges most royall maiestye to alter and change the name of the lorde stewarde of his moste honorable householde, into the name of the great maister of his householde, or Grand maister dhostel du roy, and hathe graunted and gyuen the sayd office vnto his right trusty & right entierly beloued cousyn and counsaylor Charles duke of Suffolke, lorde president of his moste honorable counsayle, and hath named ordeyned and appoynted hym to be called lord great maister of his household, or Graunde maister dhostel du roy, his highnes of his excellent goodnes is contented and pleased, that it be enacted by thassent of the lordes spiritual and temporal, & the cõmons in this present parliamẽt assembled, and by auctoritie of the same, that the sayd Charles duke of Suffolk, during the tyme that he shall haue the said office of gret master of the kinges houshold, or Grand master dhostel du roy, & all other who hereafter shall haue the sayd office by those names, or any of them, shall haue vse and enioy all suche and singular preeminences, auctorities, priuileges, and iurisdictions, in as large and ample maner facion fourme and condition, as the lorde stewarde of the kynges houshold by vertue of that office and name of lord stuarde had, vsed, or ought to haue vsed or had by reason of any custome vsages statutes or cõmon lawes of the realme, and as if the sayd duke, and suche other as shal haue the said office, had ben called & named lorde stuarde of the kinges householde.

☞ An acte concernynge the pryuyleges of physitions. Cap. xl.

IN MOST HVMBLE VVISE shewen vnto your maiestye, your trewe and faythfull subiectes and lyege menne, the Presydente of the corporation of the commynaltye and felowshyppe of the scyence and facultie of physyke in your cytie of London, and the cõmons and felowes of the same, that where as dyuers of theym many tymes haynge in cure as welle somme of the lordes of your mooste honourable Counsayle, and dyuers tymes many of the nobylytie of this Realme, as many other of your faythfull and liege people, can not gyue theyr dewe attendaunce

to

to them and other their patientes with ſuche dyligence, as their duty were and is to do, by reaſon they be many tymes compelled aſwell within the citie of London, and ſuburbes of the ſame, as in other townes and villages, to kepe watche and ward, and be choſen to thoffice of conſtable and other offices within the ſayd citie & ſuburbes of the ſame, as in other places within this your realme, to their great fatigation and vnquietyng, & to the perill of their patientes, by reaſon they can not be conueniently attended.

It maye therfore pleaſe your moſt excellent maieſty, with thaſſente of your lordes ſpirituall and temporall, and the cõmons in this preſent parliament aſſembled, and by thauctoritie of the ſame, to enacte ordeyne and ſtabliſhe, that the preſident of the ſayd commynaltie and felowſhip, for the tyme being, & the cõmons & fellowes of the ſame, and euery felow therof, that now be or that any time hereafter ſhalbe, their ſucceſſours and the ſucceſſours of euery of them, at all tyme and tymes after the makynge of this preſent act, ſhalbe diſcharged to kepe any watche or warde in youre ſayde citie of London, or the ſuburbes of the ſame, or any parte thereof: And that they nor any of them ſhalbe choſen conſtable or any other officer in the ſayde citie or ſuburbes. And that if at any tyme hereafter the ſayd preſident for the tyme being, or any of the ſayde commons or felowes for the tyme being, by any wayes or meanes be appoynted or elected to any watche or warde offyce of conſtable or any other offyce within the ſayde cytie or ſuburbes, the ſame appoyntemente or election to be vtterly voyde and of none effecte, any order cuſtome or lawe to the contrary before this tyme vſed in the ſayde citye not withſtandynge.

¶ And that it may pleaſe youre moſt royall maieſty, by thauctoritie aforeſayd, that it may be further enacted ordeyned and eſtablyſſhed for the common welthe and ſuretye of youre louynge ſubiectes of this your realme, in and for thadminiſtration of medicines to ſuche of youre ſayde ſubiectes as ſhall haue nede of the ſame, that from henſefourthe the ſayd preſidente for the tyme being, commons and felowes and their ſucceſſours, may yerely at ſuche tyme as they ſhall thynke mooſte mete and conuenient for the ſame, electe and choſe foure perſons of the ſayde commons and felowes, of the beſte lerned wyſeſte and moſte diſcrete, ſuche as they ſhall thynke conuenyente, and haue experyence in the ſayde faculty of phyſycke: And that the ſayde foure perſones, ſoo elected and choſen, after a corporall othe to them miniſtred by the ſayde preſident or his deputy, ſhall and maye by vertue of this preſent acte, haue full auctoritie and power, as often as they ſhall thinke mete & conuenient, to entre into the houſe or houſes of al & euery poticary now or any tyme hereafter vſing the miſtery or crafte of a poticary within the ſayd citie, only to ſerche bewe and ſee ſuch potycary wares drugges and ſtuffes as the ſayd poticaries or any of them haue, or at any tyme hereafter ſhall haue in their houſe or houſes. And al ſuch wares drugges & ſtuffes as the ſaid. iiii. pſons ſhal then fynd defectiue corrupted & not mete nor cõuenient to be miniſtred in any medicines for the helth of mens body

the same foure persons callynge to them the warden of the sayd mystery of poticaryes within the sayd cite for that tyme beinge, or one of them, shall cause to be brent or other wyse distroied the same, as they shall thinke mete by their discretion. And if the sayde potycaries or any of them at any tyme hereafter do obstinatly or wyllyngly refuse or deny the sayde foure persons percly elected and chosen as is before sayd, to entre in to their sayd house or houses, for the causes intente and purpose before rehersed: That then they and euery of them so offendyng contrary to this acte, for euery tyme that he or they do so offende, to forfayt. C.s. the one halfe to your maiesty, and thother halfe to him that wyll sue for the same by action of debte bill playnt or informacion in any of the kynges courtes, wherin no wager of lawe essoine or protection shalbe allowed. And if the sayde foure persons or any of them so elected and chosen as before is sayde, do refuse to be sworne, or after his sayd othe to him or them administred, do obstinatly refuse to make the said serche and vewe ones in the yere, at such tyme as they shal think most conuenient by their discretions, hauyng no lawfull impediment by sickenes or otherwyse to the contrary: That then for euery such wylfull and obstinate defaulte, euery of the sayd foure persons makyng default to forfait. xl.s.

¶ And forasmoch as the science of phisicke doth comprehende include and conteyne the knowledge of surgery, as a speciall membre and parte of the same, therfore be it enacted, that any of the sayd companye or felowship of phisitions, being hable chosen and admitted by the sayde president and felowship of phisitions, may from tyme to tyme, aswel within the city of London as elsewhere within this realme, practise and exersyse the sayde science of phisike in all and euery his membres and partes, any acte statute or prouision made to the contrary not withstandyng.

¶ An acte concernynge bakynge of horse breadde. Cap. xli.

FORASMOCHE as by occasion that at a parlyamente holden at Westmynster in the. xii. yere of the reygne of the kynge RICHARDE the seconde, amongest other thynges it was ordayned and enacted, that no hosteler or inholder shoulde make any horse breadde within his house nor elles where, but that the bakers shulde make such horse breadde, and that thassise therof shulde also be made of reasonable waynghte, as by the same acte it may more playnely appere. And also sithens that at another parlyamente holden at Westmynster, in the forthe yere of the reygne of kynge HENRY the fourthe amongest other thynges it was also ordeyned & enacted, that if any hosteler or inholder dyd make any horse breadde, contrary to the fourme of the sayd statute and acte of Rychard the second, and the same duely proued against hym, the same hosteler or inholder from tyme to tyme shulde forfeyte the treple value of all such horse breadde made by hym in his house or elles where, as by the sayde acte more playnely also it maye appere. Diuerse and many incommodities and mischefes haue

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enſuid therupon to the kynges ſubiectes that haue traueled and iourneied with their horſes within this realme of Englande: Be it therfore nowe ordeyned and enacted by thauctority of this preſent parliamente, that from henſe forthe it may and ſhalbe lawfull for euery hoſteler or inholder dwellyng in any towne or vyllage being a thorougfare or comon paſſage within this realme, and being no citie towne corporate or market towne, wherin any common baker exerciſinge the occupation of bakynge, and hath bene prentice at the ſayde occupation by the ſpace of .vii. yeres is dwellynge, to make within his houſe horſe breadde, ſufficient lauful & of due aſſiſe, accordinge as the price of the graynes of corne that nowe is and hereafter ſhall be from tyme to tyme, any thinge or thinges mencioned in the ſayd actes or ſtatutes of kynge Richarde the ſeconde, or HENRY the fourth to the contrary not withſtandynge.

¶ And be it alſo enacted by the auctority aforeſayd, that if the horſebreade, whiche any of the ſayd hoſtelers or inholders hereafter ſhall make, be not ſufficient lauful and of due aſſiſe, according to the price of graines of corne as is abouesaid: Than the iuſtices of the peace in euery ſhire liberty or franches winthin this realme, ſhal haue ful power and auctority to inquire here and determine the ſayd defaultes and offences of the ſaid hoſtelers and inholders here after to be cõmitted againſt the fourme of this preſent ſtatute, and to ceſſe ſuch fynes, and make like proces therupon, as they commonly vſe to do vpon preſentmentes of treſpaſſe againſt the peace. And that alſo lykewyſe the cheriffes in their turnes, and ſtewardes in their letes and lawdayes, ſhall haue ful power and auctority to inquire and determine euery ſuche defaulte and offence of hoſtelers againſt the fourme of this preſente ſtatute herafter to be committed within the lympt of their iuriſdictions.

¶ An acte concernynge Barbours and ſurgeons to be of one company. Ca. xlii.

THE KINGE our ſouerayne lorde, by the aduiſe of his lordes ſpirituall and temporall, and the commons in this preſente parliamente aſſembled, and by thauctority of the ſame, by all their common aſſentis, duly ponderyng among other thinges neceſſary for the common welth of this realme, that it is very expedient and nedefull to prouide for men expert in the ſcyence of phiſike and ſurgery, for the helthe of mannes body whan infirmities and ſekenes ſhall happen, for the due exercyſe and maintenaunce whereof good and neceſſary actes be all redy made and prouided. Yet neuertheles for as moche as within the city of London, where men of greate experience aſwell in ſpeculation, as in practiſe of the ſcience and faculty of ſurgery be abydyng and enhabyting, and haue more commonly the dayly exerciſe and experience of the ſame ſcience of ſurgery, then is had or vſed within other partes of this realme: And by occaſion therof many experte perſonnes be brought vp vnder them, as their ſeruantes apprentices and others, who by theexerciſe and diligent information of their ſayd maiſters, aſwell now as hereafter, ſhall

exerciſe

exercyse the sayd science within dyuerse other partes of this realme, to the greate relyef comforte and succour of moche people, and to the sure safegarde of theyr bodily helthe, their lymmes and lyues. And forasmoch as within the sayde citye of London, there be nowe two of seuerall and dystyncte companyes of surgeons, occupienge and exercisinge the sayde science and faculty of surgery, the one company being comonly called the barbours of London, and the other company called the surgeons of London. Which company of barbours be incorporated to sewe and to be sued by the name of maisters or gouernours of the mistery and comynaltie of the barbours of London, by vertue and auctoritie of the letters patentes vnder the greatte seale of the late kynge of famous memory kyng Edwarde the fourth, dated at westmynster the foure and twenty daye of Februarye, in the fyrst yere of his reygne, whiche afterwarde as well by our nowe most dread soueraygne lorde, as by the ryght noble and vertuous prince kyng HENRY the seuenthe, father vnto the kynges moste excellent hyghnesse nowe beinge, were and be confyrmed, as by sundrye letters patentes thereof made, amonge other thinges in the same conteyned more at large maye appere. And thother companye called the surgeons, be not incorporate, nor haue any maner of corporation: whiche two seuerall and distinct companies of surgeons were necessarye to be vnited and made one bodye incorporate, to the intent that by their vnyon and often assemble togythers, the good and dewe order exercise and knoweledge of the sayd science or faculte of surgery, shulde be as well in speculation as in practise, bothe to them selues, and all other their sayd seruantes and apprentices, nowe and hereafter to be brought vp vnder them, & by their lerninges & diligēt & ripe informations, more perfect spedy & effectuall remedy shulde be than it hath bene, or shulde be, yf the sayde two companies of barbours and surgeons shulde continewe seuered a sunder, and not ioyned togyther, as they before this tyme haue bene and vsed theym selues, not medlynge togyther. Wherefore in consideration of the premisses, be it enacted by the kynge our soueraygne lorde, and by the lordes spirituall and temporall, and by the commons in this present parliamente assembled, and by the auctoryte of the same, that the sayde two seuerall and dystynct companyes of Surgeons, that is to saye, bothe the barbours and the surgeons, and euerye persone of theym, beyng a free manne of eyther of the sayde companyes, after the custome of the sayde Citye of London, and their successours, from henseforthe immediatly be vnyted and made one entyer and hole body corporate and one cōmynalty perpetuall, which at all tymes hereafter shall be called by the name of maisters or gouernours of the mistery and comminalty of barbours and surgeons of London for euermore, and by none other name: And by the same name to implease and be impleaded before all maner of iustyces, in al courtes, in al maner of actions and suites. And also to purchase enioy & take to them & to their successors, al maner of landes tenementes rentes & other possessions what so euer they

they be, and also shall haue a common seale to serue for the busynes of the sayde company and corporation for euer. And by the same name peasibly quietely and indifferently haue possession and enioye to theym and to theyr successours for euer, all suche landes and tenementes, and other hereditamentes what so euer, whiche the said companye or cõmunaltie of barbours haue and enioy, to thuse of the sayd mistery and comminaltie of barbours of London. And also shall peasybly and quyetely haue and enioye all and singular benefytes grauntes liberties priuileges fraunchises and free customes, and also all maner of other thinges, at any tyme gyuen or granted vnto the sayd companyes of barbours or surgeons, by what so euer name or names they or any of them were called, and whiche they or any of them nowe haue, or any of their predecessours haue had by acte of parlyamente, letters patentes of the kynges hyghnes, or other his moste noble progenitours, or otherwyse by any lauful meanes haue had at any tyme afore this present act, in as large and ample maner and forme, as they or any of them haue had myght or shulde enioy the same, this vnion or comunction of the sayd companyes togyther not withstandyng. And as largely to haue & enioye the premisses, as if the same were & had ben specially and particularly expressed and declared with the best and moste clerest wordes and termes in the lawe, to all intentes and pourposes. And that all persones of the sayde company nowe incorporate by this present acte, and theyr successours, that shalbe lawfully admytted and approued to occupy surgery, after the forme of the statute in that case ordeyned & prouided, shalbe exempte for bearyng of armure, or to be put in any watches or inquestis. And that they and their successours shall haue the serche ouersyght punishement and correction as well of fremen as of foreyns, for such offences as they or any of them shal cõmit or do against the good order of barbery or surgery, as afore this time among the sayd mystery & company of barbours of London, hath ben vsed & accustomed, according to the good and politike rules and ordenances by them made & approued by the lordes Chauncellour tresorer and two chiefe Justyces of eyther benche, or any thre of them, after the fourme of the statute in that case ordeyned and prouyded.

¶ And further be it enacted by thauctoritie aforesayd, that the sayde maysters or gouernours of the mystery and commynaltie of barbours and surgeons of London, & their successours yerely for euer after their sad discretions at their free lybertie and pleasure shall and may haue and take without contradiction fowre persones condempned adiudged and put to deths for felony by the due order of the kynges lawes of this realme, for anothomies, without any further sute or labour to be made to the kinges highnes his heires or successours for the same. And to make mencyon of the same deade bodies or otherwise to order the same after their sayde discretions at their pleasures for their further and better knowledge instruction insyght lernyng and experience in the sayd feyence or facultie of surgery. Sauyng vnto al persons their heires and successors, al such ryght title interest and

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demand, which they or any of them myght laufully claime or haue in or to any of the landes & tenementes with thappurtenāces, belongyng vnto the ſaid company of barbours and ſurgeons or any of them, at any tyme afore the makynge of this acte, in as ample maner and fourme as they or any of them had or ought to haue had heretofore: Any thynge in this preſent acte compriſed to the contrary hereof in any wyſe not withſtandyng.

¶ And for as moche as ſuche perſones vſynge the myſterye or facultie of ſurgery, oftentymes medle and toke into their cures and houſes ſuch lyke and diſeaſed perſons, as ben infected with the peſtilence gret pockes & ſuch other contagious infirmities do vſe or exercyſe barbarye, as waſhynge or ſhauyng, and other feates thervnto belongyng, whiche is very perylous for infectyng the kynges liege people, reſortyng to theyr ſhoppes and houſes, there beinge waſhed or ſhaven. Wherfore it is nowe enacted ordeyned and prouyded by thauctorite aforeſaid, that no maner of perſon within the citie of London, ſubburbes of the ſame, and one myle compaſſe of the ſaid citie of London, after the feaſt of the natiuitie of our lord god next cōming vſyng any barbary or ſhauynge, or that hereafter ſhall vſe any barbary or ſhauyng within the ſayd citie of London ſuburbes, or one myle circuite of the ſame citie of London, he nor they, nor none other for them to his or their vſe, ſhall occupy any ſurgery, lettyng of bloudde, or any other thynge belongynge to ſurgery, drawyng of tethe only excepte. And furthermore in lyke maner who ſo euer that vſeth the myſtery or crafte of ſurgerye within the circuite aforeſayd, as longe as he ſhal fortune to vſe the ſayde myſterye or crafte of ſurgerye ſhall in no wyſe occupy nor exercyſe the feate or crafte of barbary or ſhauyng, neither by hym ſelf nor by none other for hym to his or their vſe: And moreouer that all maner of perſons vſynge ſurgerye for the tyme beinge, as well free men as forrens, alyens and ſtrangers within the ſayd citie of London, the ſuburbes therof, and one myle compaſſe of the ſame citie of London, before the feaſt of ſainct Mychael tharchangell next commyng, ſhall haue an open ſigne on the ſtrete ſyde, where they ſhall fortune to dwell, that all the kynges liege people there paſſyng by, may know at all tymes whither to reſorte for remedies in tyme of theyr neceſſitie.

¶ And furtherbe it enacted by thauctorite aforeſayd, that no maner of perſon after the ſayd feaſt of ſaynte Mychael tharchangel next commyng, preſume to kepe any ſhoppe of barbery or ſhauyng within the citie of London, except he be a free man of the ſame corporation and company.

¶ And furthermore at ſuch times heretofore accuſtomed there ſhalbe choſen by the ſame company fouremaiſters or gouernours of the ſame corporation or company, of the which iiii. two of them ſhalbe expert in ſurgery, and thother two in barbary, whiche iiii. maiſters and euery of them, ſhall haue ful power and auctorite from tyme to tyme, duryng their ſayd office, to haue the ouerſight ſerch pumyſhement and correction of al ſuche defaultes and inconueniences as ſhalbe founde among the ſayd company vſyng barbary or ſurgery, aſwel of free men as forens aliens and ſtrangers with-

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in the citie of London and the circuite aforesaid, after their said discretions. And if any person or psons vsyng any barbary or surgery at any tyme here after offend in any of these articles aforesayd: than for euety mohethe the sayd person so offendyng shall lose forfayt and pay. v. li. the one moyty ther of to the kyng our souerayn lorde, and the other moytie to any person that woll or shal sue therfore by action of det byll playnt or information in any the kynges courtes, wherin no wager of lawe essoin or protection shall be admytted or allowed in the same.

¶ Prouided that the sayd barbours and surgeons, and euery of them, shal beare and pay lot and scot and such other charges, as they and their predecessours haue ben accustomed to pay within the sayd citye of London, this act or any thynge therin conteyned to the contrarye hereof in any wyse not withstandynge.

¶ Prouided alway and be it enacted by auctority aforesayd, that it shalbe leafull to any of the kynges subiectes, not beynge barbour or surgeon, to reteyne haue and kepe in his house, as his seruaunt, any persone beynge a barbour or surgeon, whiche shall and may vse and exercise those artes and faculties of barbery and surgery or eyther of them in his masters house, or elles where by his maisters lycence or commaundement, any thyng in this act aboue written to the contrary being not withstandyng.

¶ An acte concernynge shyre dayes in the county Palantyne of Chester. Cap. xlvii.

WHERE it is enacted and establysshed in the. xxvii. yere of our souerain lorde the kyng that now is, as wel for the encrease and augmentation of good rule and order to be had & done in the countie palantine of Chester, and other shires, as for adminystration of iustice amongest the kinges subiectes there, that the lorde Chauncellour of England, or the lord keper of the great seale for the tyme beyng, shall haue auctoritie from tyme to tyme, to nominate and appoynt iusticers of peace, iusticers of quorū, and iusticers of gaole deliuery, as well within the sayd county palantyne of Chester and other shires and parties of Wales by commissyon vnder the kynges great seale, whych persons so named shal haue full power and auctoritie to enquire here & determyne all manet thynge & thynges inquirable presentable or determynable before iusticers of peace, iusticers of quorum, & iusticers of gaole deliuery in other shires of this realme of Englande, & to do vse and execute euery thyng and thynges as other iusticers of peace quorū and gaole deliuery do in other shires of England, and that they shall kepe their sessions there, as they do in other shires of Englād, vpon like penalitie as hath ben ordeined for such abuses in such iusticers in other shires of England, any law act statute vsage custome priuilege prescription or libertie to the cōtrary therof in any wise notwithstāding, as in the said statute made in the sayd. xxvii. yere amon-

the great ſeale of the late kyng of famous memory kyng Edwarde the fourth dated at weſtminſter the foure and twentie day of February in the fyrſt yere of his reigne which afterwarde as wel by our noſt moſt dread ſoueraigne lord as by the right noble and vertuouſe prynce kyng Henry the ſeuenthe, father vnto the kynges mooſte excelent highneſſe now beyng were and be confirmed, as by ſundrie letters patentes therof made amongeſt other thynges in the ſame conteygned more at large maie appere. And the other companie called the ſurgeons be not incorporate, nor haue any maner corporacion which two ſeuerall and diſtincte companies of ſurgeons were neceſſarie to bee vnyted and made one bodie incorporat to the entente that by their vnyon and often aſſemblie togythers to the good and dewe order exerciſe and knowlage of the ſayd ſcience or facultie of ſurgerie, ſhould be as well in ſpeculacions as in practyſe, both to them ſelues and al other their ſaid ſeruauntes and apprentiſes, nowe and herafter to be brought vp vnder them, and by their lerninge and dilegent and rype informacions more perfect ſpedy and effectuall remedy ſhuld be than it hath ben or ſhould be if the ſaid two companies of barbours and ſurgeons ſhould contenew ſeuered a ſunder and not ioyned togyther as they before this tyme haue ben and vſed them ſelues not medlynge togyther. wherfore in conſyderacyon of the premyſſes be it enacted by the kynge our ſoueraigne lorde, and by the lordes ſpirituall and temporall, and by the commons in this preſent parlyamente aſſembled, and by the auctorite of the ſame that the ſayd two ſeueral and diſtyncte companyes of Surgeons, that is to ſaie, bothe the barbours and the Surgeons, and euery perſonne of them beynge a free manne of either of the ſayd companies after the cuſtome of the ſayd citye of London and their ſucceſſours, from henſe forthe immediatly be vnyted and made on entyer and hole bodye corporate and one comminaltye perpetuall whych at al tymes herafter ſhall be called by the name of maiſters or gouernours of the myſtery and comminalte of Barbours and Surgeons of London for euermore and by none other name: And by the ſame name to implеade and be impleaded before al maner of Juſtices, in al courtes in al maner of actiõs and ſutes. And alſo to purchaſe enioy, & take to thẽ and to their ſucceſſors al maner of landes tenementes rentes and other poſſeſſions what ſo euer they be, and alſo ſhal haue a common ſeale to ſerue for the buſines of the ſayd company and corporacion for euer. And by the ſame name peaſably quietly and indifferently haue poſſeſſion and enioy to them and to their ſucceſſours for euer, all ſuche landes and tenementes, and other hereditamentes what ſoeuer, which the ſaid company or comminalty of barbours haue and enioye to thuſe of the ſaid miſtery and comminalty of barbours of London. And alſo ſhall peaſably and quietlye haue and enioye all and ſingular benefittes, graunctes liberties, priuileges fraunchiſes, and fre cuſtomes and alſo all maner of other thinges, at any time geuen or graunted vnto the ſayd companies of barbours or ſurgeons, by what ſo euer name

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yr names they or any of theim wer called, and whiche they or any of them now haue, or any of their predecessours haue had by actes of parliament letter patentes of the kynges highnes, or other his moste noble progenytours or otherwyse by any lawfull meanes had at any tyme afore thys present acte in as large and ample maner and forme, as they or any of the haue had myght or sholde enioye the same, this vnion or conjunction of the said companies together not withstandyng. And as largely to haue and enioie the premisses, as if the same wer and had ben specially and particularly expressed and declared with the best and most clereste wordes & termes in the lawe, to all intentes and purposes And that al persons of the sayd company now in corporate by thys present act, and their successours, that shal be lawfully admitted and approued to occupie surgery after the forme of the statute in that case ordeyned and prouyded shalbe exempt for bearig of armure or to be put in any watches or inquestes And that they and their successours shall haue the serche ouer sight punishement and correctiō as well of freemen as of forreins for such offences as they or any of them shall cōmit or do against the good order of barbary or surgery as afore thistime amonge the sayd misterye and company of barbours of London, hath ben vsed and accustomed, according to the good and politike rules and ordynaunces by them made and approued bi the lords Chauncellour treasorer and two chiefe Justices of either bench or any thre of them after the forme of the statute in that case ordeyned and prouided.

¶ And further be it enacted by thauctoritie aforesayd, that the sayd maysters or gouernours of the misterye and comminaltie of barbours and surgeons of Londō, and their successours yerely for euer after their said discretions at their free liberte and pleasure shal and maie haue and take without contradiction foure persons condempned adiudged and put to deathe for felony by the due order of the kynges lawe of thys realme for anatomies without any further suite or labour to be made to the kyngs highnes his heyres or successours for the same. And to make incision of the same deade bodies or otherwyse to order the same after their said discretions at their pleasures for their further and better knowlage instruction in light learnyng and experience in the sayd scyence or faculte of surgery hauig vnto al person their heires and successours, al such right tytle enterest and demande, which they or any of them myght laufully clayme or haue in or to any of the landes and tenementes with the appurtenaunces, belōging vnto the sayd company of barbours and surgeone or any of them, at any tyme afore the makyng of this acte, in as ample maner & fourme as they or any of them ought or sholde haue had heretofore: Any thyng in thys pre sent acte compriſed to the contrary hereof in any wyse not withstādyng.

¶ And for as muche as suche persones being the misterie or faculte of surgery, oftentymes medle and take into their cure and houses suche sicke and diseases persōs as ben infected with the pestilence great pockes & such other contagious infirmitye do vse or exercise barbari, as washynge, or

shauyng, and other feates therunto belongyng, whiche is verie perillous for infectyng the kynges liege people resortyng to their shoppes and bowses ther beyng washed or shaven. Wherfore it is now enacted ordeyned and prouided by thauctoritye aforesayd that no maner person within the citie of London suburbes of the same, and on myles compasse of the sayde citie of London, after the feaste of the natiuitie of our lord god next comyng vsyng any barbary or shauyng, or that there after shall vse any barbery or shauyng within the sayd citie of London suburbes or one myle circuite of the same citie of London, he nor they nor none other for hē to his or their vse shall occupy any surgery lettyng of bloud, or any other thynge belongyng to surgery drawyng of teeth only except. And further more in lyke maner who so euer that vseth the mistery or craffte of surgery within the circuite aforesayd, as long as he shall fortune to vse the sayd maystery or crafte of surgerie shall in no wyse occupie nor exercyse the feat or crafte of barbarie or shauing neither by hym selfe nor by non other for him to his or their vse: And moreouer that al maner of persones vsynge surgery for the tyme beyng as well free men as forens aliens and straungers within the said citie of London, the suburbes therof, and on myle compasse of the same citie of London before the feast of saincte Michaell tharchangel next comyng, shal haue an open signe on the strete syde wher they shall fortune to dwell, that all the kynges liege people there passing by may know at al times whether to resort for theyr remedies in time of necessitie.

And further be it enacted by thauctoritie aforesayd, that no maner of person after the sayd feast of saynct Michaell tharchaungell next comynge presume to kepe any shoppe of barbarie or shauyng within the citie of London except he be a free man of the same corporacion and company.

¶ And furthermore at such times heretofore accustomed there shalbe chosen by the same company foure maisters or gouernours of the same corporacion or company, of the which .iiii. two of them shalbe expert in surgery and thother two in barbary, which .iiii. maysters and euery of theym shall haue full power and auctoritie from time to time, during theyr said office to haue the ouersyght serche punishement and correction of al such defaultes and inconueniences as shalbe found among the sayd company vsing barbary or surgery, as wel of fre mē as forens aliens and straungers within the citye of London & the circuite aforesayd, after their sad discrecions. And if any persō or persōs vsyng any barbary or surgery at any time hereafter, offend in any of these articles aforesayd then for euerye moneth the sayd persons so offending shal lose forfait and pay .vi.li. the one moitie ther of to the king our souereigne lord, and the other moitie to any person that will or shal sue therfore by action of det bill plainte or informacion in anye the kinges courtes, wherin no wager of law essoin or protection shall be admitted or alowed in the same.

¶ Prouided that the said barbours and surgeons and euery of them shal beare and pay lot and scot and such other charges, as they and their prede

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cessours haue ben accustomed to pay within the sayd citie of London this acte or any thyng therin conteigned to the contrary herof in any wyse not withstandyng.

¶ Prouided alway and be it enacted by auctoritie aforsaid that it shalbe lefull to any of the kynges subiectes not beyng Barbour or Surgeon, to reteine haue and kepe in his house as his seruaunt any person beynge a barbour or surgeon whych shal and maie vse and exercise those actes and faculties of Barbery and surgery or either of them in his maisters house, or elles wher by his maisters licence or commaundement any thyng in this acte aboue written to the contrary not withstandyng.

¶ An act concernyng shyre daies in the countie Palantine of Chester. Cap. xliii

Where it is enacted and establysshed in the .xxvii. yere of our souerain lord the kyng that now is as wel for the increase and augmentacion of good rule and ordre to be had and don in the countie palantine of Chester and other shyres as for administracion of iustice amonges the kyngs subiectes ther that the lorde chaunsellour of England or the lorde keper of the great seale for the tyme beyng shall haue auctoritie from tyme to time to nominate and appoint iustices of peace, iustices of Quorum, and iusticers of Gaole deliuery as well within ye saide countie palantyne of Chester and other shires and parties of Wales by commission vnder the kynges great seale which person named shall haue ful power and auctoritie to enquyre here and determine all maner thyng and thinges enquirable presentable or determinable before iusticers of peax iusticers of Quorum, & iusticers of Gaole deliuery in other shires of this realme of England, & to do vse & execute euery thyng and thyngs as other iusticers of peace, Quorum, & Gaole deliuery do in other shires of England and that they shal kepe their sessions there as thei do in others shires of England vpō like penalty as hath ben ordeined for such abuses in such iusticers in other shires of England any law act statute vsage custome priuilege prescripcion or libertie to ye contrary therof in any wyse not withstanding as in the sayd statute made in the said .xxvii. yere amongest other thinges more plainly appereth. By reason which act it is now vsed to kepe sessions in the sayd countie palantine of Chester as it is vsed in other shires of England. Also it is vsed in the sayd county palantine of Chester that the iusticer of the same for the tyme being hath yerely tyme out of mynde, vsed to kepe the shyres or countie daies in maner and fourme folowyng (that is to saie) one yere .viii. shyres or countie dayes, and another yere .ix. shyres or countie dayes to the which the gentylmen free holders and suters of the said countie are bounden of ancient custome and dutie to appere, and geuen their attendaunce to serue the kyng which shires and countie daies com very oftentymes in the yere. And nowe by reasonne of the said newe statute of Iusticers of the peace hadde in the said countye the sayde gentyll menne free holders and suyters of the

ſaid countie beyng bounden of their ſayd olde cuſtome and lawe to geue their attendaunce and apparaunce to the ſayd ſhyres and countie dayes, ar nowe bounde alſo to geue their apparaunce and attendaunce at fower quarter ſeſſions, and other priuy ſeſſions in the ſayde countie: By meane wherof the ſayd apparaunce & attendaunce commeth ſo often and thicke together, that at many tymes they can not departe from the one courte and attende their buſineſſe ſcarely on daie or ſometyme leſſe, but they muſt againe ryde to ſerue the other courte which is to peinfull chargeable intolle rable and importune, for any man to ſuſteine and abyde. In conſideracō wherof be it enacted by the kyng our ſoueraine lord, the lordes ſpirituall and temporall, and the comons in this preſent parlament aſſembled, and by the auctoritie of the ſame, that from henſeforthe the lawe and adminiſtracion of Juſtice, and all other thynges in the ſaid countie in tyme paſt vſed to be had at the ſayd ſhyre dayes ſhall be holden had made don and executed by the Juſticer of the ſayd counties for the tyme beyng at two tymes in the yere onely, that is to witte at the ſeſſions next after the feaſte of ſaincte Mychael the archaungel, and at the ſeſſions nexte after Eaſter yerely forſeuer duryng ſo many daies at euery of the ſayd tymes as nede ſhall requyre, in lyke maner and fourme as it is nowe vſed and executed in the countie palantye of Lancaſter. And that not actions ſuyte or proceſſe nowe or here after to be depending in the ſaid counties, ſhall be therby diſcontynued hurt or impayred nor any aduauntage therein to be taken by errour diſcontinuaunce of proceſſe, ne otherwyſe, but the ſame to procede after the ſame newe order. And that from henſeforth the ſayde olde ordre rule and cuſtome in holdyng of the ſayd counties or ſhyre daies, ſhal vtterly ceaſſe and determyne for euer: Any acte ſtatute preſcripcion graunte vſage cuſtome, priuiledge, lawe lybertye, conſtitucyon or confyrmacion her tofore had made, accuſtomed or vſed, to the contrary in any wiſe not withſtandyng.

¶ An act that the towne of Royſton is reduced to on newe parych. Cap. xliiii.

FORASMVCHE as the towne of Royſton is a markette towne ſituat and bulided together and extendeth it ſelfe in to fyue ſeuerall pariſhes wherof neuer a parych churche of them is within two myles, of the ſayd towne, and ſome of them be thre myles diſtant from the ſame by reſon wherof the poore inhabitantes and townemen ther beyng pariſheners of the ſaid fiue parych churches diuers and ſundry times throgh the abſence of their perſons & curates, in ſuch caſes of neceſſitie whan their preſence to ꝑ cōfort and conſolacion of their pariſhners is moſt requiſit & behoueful, cannot haue the ſacramentes & ſacramentals to be miniſtred according to the laudable cuſtome of holy church to their great perils and ieoperdies.

And alſo foraſmuch as ꝑ ſaid town of Roiſtō is a great & cōmon throughfare for the kynges ſubiectes and liege people trauailyng from many & ſu

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date parties of this realme, and in the said towne is also inhabitants of y market wherunto great and frequent resort is of all inhabitantes of the countrey thereunto adioyning and yet the sayd subiectes by trauailing nor any of the inhabitauntes so resorting can haue any masse or other diuyne seruice in the said towne, if their deuocion should that require: And ouer this the said great distaunce of the towne from the parishe churches aforesaid is verie discommodious and peinfull to all and singular the inhabitantes ther and most specially to the impotent sycklely and aged people, which be not able to trauaile to the said churches ne any of them, to here their diuyne seruyce. All which discommodities and inconueniences were little preiudical to the said towne, at such time as the late priory ther stode, The church of which priory the poore inhabitantes of the said town haue bought to their great charges to the intent to haue the same their parishe churche and therin to haue daiely masse and other diuine seruices to be celebrated and doen. In consideracion of which premisses it may please the kinges most royall maiestie of his most excellent goodnes that it may be enacted by his highnes with thassent of the lordes spirituall and temporal and the commens in this present parliament assembled, and by auctoritie of the same, that the sayd church late beyng parcel the sayd priory of Royston, shalbe the parysshe church for all and singular the inhabitantes of the said towne of Royston. And that the said church shalbe named and called from henseforth the parysshe church of sainct John the Baptist, in the towne of Royston, and that on parcel of groynd nigh or by the said inhabitantes be inuironed and enclosed at the charges and costes of the sayd Churche for a cemitorie or churchyarde for buriall of christen people in the same, and that inhabitantes of the same towne shall be parysheners onely to the same church, and be discharged of any further resort or repayre to any of the sayd .v. parish churches distant from the said towne as is aforesayd and that the persons and curates of the sayd .v. parishe churches, and euery of them and the successours of euery of them, shall be discharged of the cure of the said inhabitantes.

¶ And be it also enacted by auctoritie aforesayd, that one sufficiente and lawfull person to be named and appointed by the kyngs highnes, shal be vicar perpetual in the said parysshe church of Royston, and haue perpetual succession in the same. And that he and his successours shal be named and called vicars of the parishe church of sainct John the Baptist in Royston, and shal be enhabled by auctoritie of this acte to sue and be sewed by that name in al courtes and places in this realme, and also to purchas landes tenements and herditamentes to him and his successours vicars of the same church And that the aduoulon donacion and presentacion of the said vicarage shall appertayn and be longe to the kyng his highnesse his heires and successours, as appendant to his graces manour of Roiston and that as wel the said now first vicar to be named as is aforesaid as al other vicars hereafter of the said church, shalbe presented instituted and inducted

ducted to and by the ordinarie or ordinaries of the place, where the sayd churche is situate, as other persons and vicars of this realme ben accustomed. And that the sayd parysshe church and towne of Royston shall from hensforth be taken and accepted to be in the diocese of London only and not in any other diocesse, any usage custome or matter to the contrary ther of not withstanding. And that also the sayd vicar that shall be hyrd named and presented shall have power and auctorite by vertue of this act, to take and receyve to hym and his successours, one messuage with a garden therto adioynyng situat in the sayd towne of Royston to be geven to hym by any of the inhabitauntes in the said towne which messuag and garden shall be named and called the vicarage of the same towne.

And that also the same vycar and his successours shal have and perceyve all the tythes offrynges oblacions obuencions and other ecclesiastycall ducties and rightes that shall grow and be due by the customes of hys realme and ecclesiastical lawes of the same, to be payd had or made by the inhabitauntes of the sayd towne except only the tythes of corne, hay, wolle, lambe and calfe whych tythes of corne hay wolle lambe and calfe, shall from hensforth be payd and satisfied by auctorite of this act to the persons and curates of the sayd .ii. parish churchs, in like maner forme and condicion, as heretofore it hath ben accustomed the erection of the said vicarage of Royston or any other thyng or thynges conteyned or specified in this act in any wise not withstanding.

¶ And it is also enacted by auctorite aforesayd that the persons and curates of the sayd .ii. parishe churches and euery of them and ȳ successours of euery of them, shall have their remedy and remedies by auctorite of this act, to sue, demand, aske and recouer in the kinges court of chancery the sayd tithes of corne hay wol lambe and calfe subtracted or denied to be paid by any person or persons or els such remedy and remedies to sue demande aske or recouer the same tithes in ythe maner forme facion & condicion as they or any of them should ought or might have done or had, if this act had neuer ben had ne made.

¶ Prouided alwai that this present act shal take non effecte nor be put in execucion vntil such time as the kinges maieste hath named and presented one hable person to be vicar of the said parish church of Royston in manct and forme aforsayd.

¶ The erection of the court of the first fruites and tenth. Cap. xiv.

Whet in the parliament holden at westm the thirde day of Nouembr in the xxvi. yere of the reign of our most dread natural and souerain lyeg lord Henry the eyght, by the grace of god kyng of England and of France defender of the faith lord of Ireland, and in erth supreme head of the church of England it was enacted ordeyned & estab lished: that the kings highnes his heires & successors kings of this realme, should have & enioy from time to time to endure

dure for euer of euery such person and persons, which at any time after the first day of January than next commyng, shuld be nominated elected prefected presented collated or by any other means apointed to haue ani arch bishoprich bishopriche abbacy monasterie priorie college hospitall archedeconry deanry prouostshyp prebend personag vicarag chantery frechapell or other dignitie benefice offyce or promocion spirituall within this realm and els wher within any the kinges dominions of what name natur or qualitie so euer thei wer, or to whose foundacion patronag or gift so euer they dyd be long the fyrst fruites reuenues and profites for on yere of euer such archebyshoprich bishoprish abbacy monasterie priory colleg hospitall archdeconry deanry prouost prebend personage vicarag chātery frechapel or other dignitie benefice office or promocion spirituall afore named, wher vnto any such person or persons after the said fyrst day of January be nominated elected prefected presented collated or by any other meanes appointed, And that eueri such person and persons before ani actual or reall possession or medlyng with ẏ profits of any such archbishoprich bishoprich abbacy monastery priory hospitall deanry ꝓuostship ꝑbend personag vicarage chantery frechaple priory or other dignitie benefit office or promociō spiritual shuld satisfie content & paie, or compound or agre to pay to the kynges vse, at reasonable daies, vpon good sureties the said first fruites & profites for on yere. And also by the same act it was further enacted by thauctoritie aforsayd that the kynges maieste his heires and successours kings of this realm, for more augmentacion and maintenance of the real astate of his imperial crown and dignitie of supreme head of ẏ church of England shuld yerely haue take and enioi and receiue vnited and knit to his imperiall crown for euer, on yerely rent or pension amountyng to the value of the tenth parte of al the reuenues rentes fermes tithes offeringes emolumentes and of all other profites as wel called spiritual as temporall than apperteinyng or belongyng or that after the makyng of the sayd act shuld belong to any archebyshoprich byshoprich abbacy monastery priory archedeconry deanry hospitall college house collegiate prebend cathedrall church collegiat church conuentual church personage vicarag chantery frechapell or other benefice or promocion spirituall of what name nature or qualitie so euer they wer within any dioces of this realme or in wales the sayd pension or anuall rent to be paied yerely for euer to our said soueraign lord his heires and successours kings of thys realme at the feast of the natiuity of our lord god, as by the same act amongest diuers other thinges therin conteyned more plainly is shewed and may appeare.

¶ And for the more surety and establishement therof, and to thentent that the kinges maiesty his heyres & successoures shall be the better serued in obteining the premisses, & also from henseforth be truly and iustly answered contented and payd yerely of al that which to his highnes his heyres, or successours appertayneth or belongeth, or hereafter shall appertaine or belong by vertue and according to the tenor of the sayd acte. Be it enacted

ordeined

ordeyned and est[illegible]shed by the kynges maiestie, by thassent of his lordes spirituall and temporall and the commons in this present parlyamente assembled, and by thauctoritie of the same in maner and forme as hereafter foloweth that is to saie.

¶ First ye king our souerain lord, by thauctoritie aforsaid maketh erecteth and establisheth a certain court commonly to be called for euery ye court of the first fruites and tenthe which court by thauctoritie aforsayd continually and for euer shalbe a court of record, and shall haue on seale to be engrauen and made after such forme fascion and maner as shalbe appointed by the kynges highnesse, and shall remayn and be ordred as hereafter shal be declared.

¶ Also be it enacted by auctoritye aforsayd that ther shall be one certaine person to be named and assygned by the kynges hyghnesse his heires and successors, which shalbe chancellor of the same court and shal be chiefe and principall officer of the same court, and shall be called the chancellor of the first fruites and tenthes, and shall haue the keping of the said seale to be assigned and for the said courte.

Also be it enacted by thauctoritie aforsayd that ther shall be one person to be named and assigned by the kinges highnes, whych shal be called the kynges tresorer of the first fruites and tenth, and shall be the second officer of the same court. And that ther shalbe one person to be lerned in the lawe of this land to be named and assygned by the kynges highnes which shal be the kynges attourney of the first fruites and tenth and shalbe the thirde offycer of the same court. And that ther shall be ii. persons to be named by the kynges hyghnes which shall be named the kynges auditours of the first fruites and tenthes, and shall be officers of the same courte. And that ther shalbe one Clerke to be named and assigned by the kynges highnes to be clerke of the same court, which shall make all bondes writinges and other ordinary proces and entries out and from the same court And that ther shall be one other person to be named and assigned by the kynges highnes which shall be called the messanger of the said courte. And one other person to be named and assigned by the kynges highnesse which shall be called the Husher of the same courte which messanger and husher and euery of theim, shall haue such and lyke profites and aduantages, as the messanger and husher of the kyngs duchy chamber at Westm̄ haue and perceyue. And the said Chauncellour which shal be appoinctted by the kynges highnes shall take a corporal othe afore the lord Chauncellour of England for the tyme beyng after the tenour ensuyng.

¶ Ye shall sweare, that ye wel and truely shall serue the kyng in ye offyce of ye Chauncellorship of the first fruites and tenth and shal minister equall Justyce to ryche & pore to the best of your connyng wyt and power, and ye ye shal diligently procure al thinges, which maie honestly & iustly be to the kinges aduauntag and profite, and to the augmentacion of the ryghtes and prerogatiues of his Croune, and truely vse the kynges seale, appoynted

ted to your offyce: And also endeuoure your selfe to the vttermoste of your power to se the kynge truely and iustiely aunswered yerely of all such rentes reuenues and profites which shall or may aryse grow or be due, to the kyng in your office: And from tyme to tyme delyuer with sped such as shal haue to dooe afore you: And that ye shall not take nor rereyue of any person any gifte or reward in any case or mattier depending before you or wherin the kynges highnes shall be partie. Wherby any preiudice hynderaunce losse or disherison shal grow or be to the kynges hyghnes. So help you god and al sainctes.

¶ Also the said treasourer shal take a corporall othe before the sayd chauncellour of the sayd court, accordyng to the tenour ensuyng. Ye shall swer, that ye shall well and truely serue the kyng our soueraigne lord and hys people in thoffice of the treasourer of this court, and ye shal reasonably and honestly procure the kynges profyte and do ryght to all maner of people poore and riche in those thinges which touche your office and the kynges receipte of his money: Ye shal truely kepe dispend paie and deliuer a true declaracion. and accoumpte therof shall make from time to tyme without any concelement accordyng to this act made for the stablysshemente of this court: And further shall dooe euery thyng that of right appertayneth to your office, so help you god al sainctes.

¶ Also the said atturney shal take a corporall, othe before the said chancellour, according to the tenour herafter ensuyng: Ye shall swere that ye shal wel and truly serue the kyng as his atturney in all courtes for or concernyng any mattier or couse that shall concerne or touch the rentes reuenus profyttes or herditamentes lymitted to the suruey and gouernance of this courte and procure the kynges profytte ther of. And that ye shal trewely counsaile the kynge and chauncellour of this courte in all thynges concernyng the same to the beste of your connyng wytte and power. And with all spede and dylygence from tyme to tyme at the callynge of the said chancellour ye shall endeuour your selfe for the hearyng and determynacion in differently of such mattiers and causes as shall depende before the sayde chauncellour And that ye shal not take any gyfte or reward in any matier or cause dependyng in the same courte or elles wher wherin the king shall be partie, wherby the kyngs maieste shal be hurted hyndered or disherited And further ye shal do to your power witand connyng al and euery thing that of right apperteineth to your office so help you god and al saintes.

¶ Also the said auditours and euery of them shal take a corporall othe before the said chauncellour of the said courte after the tenour ensuyng. Ye shal swer that ye truly shal serue the king in your office, & true alowances make to euery person which shalbe accõptant before you. And you shal not take nor receiue of poor nor rych any gift or reward in any matter or cause depending or to be discusse in the same courte, but such as shalbe ordinary apperteinyng to your office, wheby, the kyng shalbe hurted hindered or

disherited

disherited: And ye shall do euery thynge whyche shall be apperteinynge to your office, so helpe you god and al sainctes,

¶ Item that the sayd clerke of the saide courte shall take a corporall of the before the sayde chauncellour after the tenour ensuyng. Ye shall swer, that ye shall well and truely serue the kynge in your office of clerke of the counsail of this court and truely doe and execute all and euery thynge and thynges which ye ought to do by reason of your office, accordynge to the fourme and effecte of this acte so helpe you god and al sainctes.

¶ Also be it enacted by the auctoritie aforesayd that the sayd fyrst fruites and tenth and al the reuenues and profite therof which now be or hereafter shal growe or be by any manour of meanes shal be from hensforth in the order surueye & gouernaunce of the court and mynisters of the same.

¶ Also be it enacted by auctoritie aforesayd, that the sayd chauncellour in all places and the sayd treasourer attourney and auditours or two of them in the said court of the said chauncellour beyng absent, and also such commissioners deputies and substitutes, as the sayd chauncellour shal assigne appointe and depute in any shyres or places of this realme shal haue power to compound and to take obligacions to the kinges vse of any person or persons, and of his suretyes for the sure paiment of the sayd first fruites or for any other cause or mattier concernyng the premisses determinable within the same courte. And that al such obligacions & writtinges obligatorie of what summe so euer they be shal be taken in maner and fourme aboueslayd and none otherwyse And shal be of the same strength force vertue qualitie and effecte to al ententes and purposes as writynges obligatorie heretofore made by any lay person by auctoritie of the statute of the staple ben or ought to be: And that lyke proces and executions ther vpon shalbe made out of the sayd court for the leuiyng of the dettes due or hereafter to be due by vertue of the sayd writinges obligatory against any person spirituall or temporall as hath ben accustomed to be made against any lay person vpon certificat of writynges obligatorie of the sayd statute of the staple: And that all obligacions hereafter to be taken concernyng the premisses contrary to the tenour of this acte shall be voide and of none effecte. And that no person shalbe compelled to pay for any writynge obligatorie to be made for any cause touchyng the said court aboue .viii.d. and for any acquitaunce aboue .iiii.d. Also that the saide chauncellour for the tyme beyng shal haue ful power and auctoritie to a warde vnder the seale to be appointed to the sayd court in the kynges name, such proces and precepts with reasonable peines to be therin limitted, as be now commonly vsed in the courte of the kynges duchy chambre of Lancaster beynge at the fyrst, agaynst euery person and persons what so euer they be for and concernyng the interest ryght and title of the kynges maiestie hys heires and successours of or for any tenthes reuenues profites accompt retept or other cause in any wise touchyng or concernyng any thinge appointed to the order and surueie of the said court or any part therof for & on the behalfe of

our sayd

sayd soueraigne lord the kyng or of or for any dette rysyng and growyngs by occasion of the same.

¶ Also be it enacted by thauctorite aboue sayd that the sayd treasourer attourney and auditours shal diligently from tyme to tyme attende vppon the sayd chauncellour in the sayd courte for the hearyng and orderyng of matters and causes in the same courte for the tyme of the iiii. termes of the yere vsually kepte for the lawe as vs estate and procure with al diligence that al dettes duties and other profites rysing in the surney gouernaunce of the sayd court, shalbe truely and truly payd and answered to the sayd treasourer of the sayd courte, to the vse of their kynges highnes without concealyng any parte therof And shal also cause and procure processe to be made against such as shal be indebted to his kynges highnes and their executies of and for any parte therof from tyme to tyme as the tyme or cas shall requyre without any delay.

¶ And be it further enacted by thauctorite aforesaid that the saide clerke parpenter messanger and vsher and euery of them shall vppon reasonable warnyng at al times and places from tyme to tyme gene attendaunce vppon the sayd chauncellour for the tyme beinge, for the due execution and expedicion of the premisses without any delay vpon suche penes as shall be assessed by the kynges counsaile vppon information therof geuen by the said chancellour to his highnes.

¶ Also be it enacted by the auctorite aforesayd that if any of the sayd officers apointed for the same courte do conceale or withdrawe or willyngly any dettes duetyes tenthes reuenues or other profites falling growing or comyng to the kynge by reason of the first fruites and tenthe or by reason of any other thing appoynted by this act to be within the surney and order of the said courte that then the said offycer and officers so offending shall lose to the kynge our said soueraign lord the double value of the thinge so concealed or withdrawen.

¶ Also be it enacted by auctorite aboue sayd, that the sayd treasorer for the tyme being shall haue auctorite by this act to gene his acquitaunce of and for such money and obligacion as he shall receiue of them to the kynges vse for and concerning the first fruites and tenth and other things appoynted to the order of the said courte. And that this said acquitaunce shal be from henseforth a sufficient acquitance and discharge aswel for the discharge of the parties against the kynges highnesse his heires and successours for patement of so much money, as also to the auditour for the time beyng and to euery of them for makyng due allowaunce of the same. And that any acquytaunce hereafter to be made concernyng the premisses, by any person or persons contrary to the tenour fourme and effect of this present act shalbe voyde and of none effect.

¶ Also be it enacted by the auctorite aboue sayd that the sayd treasurer before the twenty day of March next after the feast of saint Michel thar changel shal yerely declare truly his whole accompte to the said chauncel

lour

lour and auditours or to the sayd chauncelours and one of the said auditours, which chauncellour and aditours or chauncellour and one of the sayd auditours shal by this acte haue auctoritie to take and determine the same accompte before the laste day of July next ensuyng: vpon whych determination of accōpt the sayd treasorer within one moneth next ensuinge the determinacion of the sayd accompt, shall treuely content and pay to the kynges vse all such summes of money by hym receyued as shall appere to be due to the kynges highnes and vnpaied vpon the same accompte, after whych determinacion the said auditours or on of them, shall engrosse the same in to parchemyn, and the same so engrossed shall returne into thoffice of the sayd court of the first fruts and teuth before the last day of February next after the determinacion of the same accompte ther for to remaine as the kynges recordes.

¶ Also be it enacted by the auctoritye abouesayd that the sayd treasourer from tyme to tyme vpon this accompte shal be allowed as wel of such fes as shall be limited vnto hym for the exercise of hys office as of and for all suche summes of mony as he shal pay to any patentie or patenties of any offyce fe or annuitie that shal be graunted or gouē vnder the seale of ẏ said court and also of al, such money as he shall pay to any other person or persons by vertue of the kinges warrant or bil assigned and also of al summes of money as he shalbe commanded to pay by any byl assigned or subscribed by the hand of the sayd chauncellour for the time being, vpon such cōsiderations, as shalbe thought conuenient by his discrecion, of or for any cause thyng or matter concerning ẏ sayd court what so euer it shalbe and that the sayd auditours, or one of them takyng accoumptes of the saide treasorer shal haue auctoritie and power to alowe to the said treasorer the premisses and euery parte of them.

¶ Also be it enacted by the auctoritie aforsayd that all maner of processe that shall be made out of the kynges exchequer or out of any other court other than the court made by auctoritie of this present acte, to or against any person and persons for any dette tenthe issues and profyttes concernynge the premisses or any partie therof, from hensefoorthe to be due limitted in this acte to be in the surney order and gouernaunce of the said court made by this acte and ministers therof shall be clerely voide and of none effecte to al intentes and purposes,

¶ Also be it enacted by the auctoritie aforsayd that the saide chancellour and officers of the sayd courte shall take such and lyke fees for the seales and wrytinges to be made & graunted out of the sayd court at the sute of the parties if any such happen to be, and for apparances as the chancellour of the duchy of Lancaster and offycers ther conueniently vse to take for the same.

¶ Also be it enacted by thauctoritie aforsayd that if any person or persōs called by the kynges proces of the same courte to appere at Westm̄ in the same court within the terme at a certan day to hym prefyxed in the proces

appere

appere and haue a day giuen in the sayd court to make answere to the ma
ters against them obiected in the same court on the kinges behalfe, depart
the court before answer made, and attourney put into the court, with the
assent of the court for prosecuting the matter with effect, shal forfait to the
kinges grace his heyres and successours such fine as shall be vpon hym set
for his contempt and offence in that behalfe, as the sayd chauncellour trea
surer and attourney of the sayd court or two of them shal thinke conuenient
by their discretions, to be leuied of his lands and tenementes goods and
cattels for the kinges vse. And in case the party, to whom any such proces
shalbe directed, do make default at the first daye of his apparaunce: that
then attachement shal be awarded out of the said court, directed to the shi
riffes of such countye, as it shal seme to the sayd chauncellour most expedi
ent, to attach the body of the same person making default as is aboue said
and to bring his body into the said court at such day, within any of the .iiii.
termes, as vnto the sayd chauncellour for the time being shall be thought
conuenient by his discretion.

¶ Also be it enacted by thauctority aforesayd, that as many accomptes of
the first fruites and tenth, as ben clerely accounted and not returned into
the kinges eschequer, & also as many other accomptes of the said first frutes
and tenth as be not fully accounted and engrossed, shal be engrossed and
returned within two yeres next ensuing, into the sayde court of the first
fruites and tenthe, there to remayne as the kynges records. And that the
chauncellour and auditours of the sayd court for the time being, shal haue
full auctority and power to here examine, and determine al and al maner
of accomptes heretofore made concerning the said first fruites & tenthes.

¶ And forasmuche as diuers religious houses within this realme and o-
ther the kinges dominions be nowe dissolued, and the possessions thereof
lawfully comen vnto the kynges handes, & other, by his graces gyft bar-
gaine, graunt and assignement, by reason wherof, and reason of misceritifi
cat of the said possessions, and of the tenth concerning as wel the same pos
sessions as other possessions of spirituall personnes into the kinges eschee-
quer, the archbyshops, byshops, and other accomptauntes vpon their accō
ptes be and of long time haue bene greatly charged hered, and troubled.
For remedy whereof be it enacted by the auctority aforesayd, that the ori-
ginall of the certificat of the whole tenth certified into the kinges eschee-
quer, and al other records there concerning the same shalbe deliuered into
the said court of the first fruites & tenth, there to remain as the kinges re-
cordes. And that the said chauncellour shal haue ful power and auctorite
by vertue of this acte, from time to time, to write vnder the seale of office
appointed to the sayd court, vnto the treasorer & barons of the said eschee-
quer, & also vnto all other officers & ministers of all the kinges courtes for
to certify any matter of record or other sufficient cause remaining afore the
concerning the premisses for the true proofe and tryal therof into the sayde
court of first frutes & tenth. And the said chancellor treasorer & auditor or

auditours, vpon a certificat therof, or elis vpon the examination of witnesses to be taken as well by commission as otherwyse, or by other sufficient proues or discharge, alledged shewed and proued afore them by the said archebishops, bishops or other accomptantes, shal by thauctority aforesayde haue ful power and auctority by their discrecions to make allowance de falcation, discharge, and full determinacion vnto them and euery of thē in his or theyr sayde accomptes concerning the premisses, according as of right appertayneth.

¶ And be it further enacted by thauctority aforesayd, that al summes of money hereafter to be payed by any archbyshop, byshop, or other person or persons chargeable to or with the collectiō, leuying, or receipt of the tenth graunted to the kinges hyghnes by auctoritye of the sayd act therof made in the sayd .xxvi. yere of his most noble reigne, shall from henceforth for euer be payd to the Treasorer of the said court of the first fruites and tenth at such dayes and times as is limitted and appointed in the sayd act, and to none other person nor persons. And that if any payment or paimentes therof, hereafter be otherwyse made without the kinges hyghnesse special assignement or warrant in writing therof made: That then the sayd payment or paymentes shal be voyd and of none effecte.

¶ And it is also enacted by thauctority aforesayd, that al certificates hereafter to be made, by any archbishop or bishop, or by any other p̄son or p̄sons limitted and charged to the collectiō & payment of the said tenthes by thauctoritie of the sayd acte, of the graunt therof to our said soueraigne lord the kinges maiestye, shall from henceforth for euer be made and remitted into the sayd court of first fruites and tenth, as they should or ought before the making of this acte, to haue bene made and certified into the kinges eschequer, by auctority of the sayd acte of the graunt of the said first fruites and tenthe, and that the same certificates, and euery of them so hereafter to be made and certifyed into the said court, shalbe & stand of such like strength and effecte to all ententes and purposes, as they and euery of them should haue bene if they had ben certified and made into the kinges sayd court of Eschequer, before the making of this acte. And that vpon all certificates hereafter to be made into the sayd court of first fruites and tenth, processe shal be made out of the sayd court by the discrecion of the chauncellour of the sayd court for the time being, for the leuing and true contentacion and payment of the kinges duties in that behalfe, in such wyse as the kinges hyghnesse may be truely satisfied therof of those persones that shal be chargeable therwith by the auctoritie of the said act of the grant of the said first fruites and tenth and al certificates hereafter to be made concerning any the premisses into the kinges Eschequer, shalbe voyde and of none effecte.

¶ PROVIDED THAT this acte or any article clause or sentence therein contayned, extende not to any rentes or tenthes now payeable or hereaf

hereafter to be payd in the kinges court of the Augmētacions of the reue nues of his crowne, by reason of any the kinges graces letters patentes actes of parlyament, or otherwise.

The establyshement of the court of the kinges wardes. Cap. xlvi.

Forasmuch as the kinges highnes hath bene heretofore and hereaf ter is like to be yearely aunswered of great rentes, reuenues, and profites, which to his maiesty hath or shall growe, aswel by reason of such persons as haue bene or hereafter shalbe in warde to hys highnes, as also by mene of ideottes and fooles naturall, now remayning or being or that hereafter shall remaine or be in his graces custodye, & also for licences to mary made and to be made to women being his graces wi doweg, and fines made for them for marieng without his graces lycence: All which the premisses of right appertaineth to his maiesty, in the right of the imperial crowne of this realme. For the more surety & establishement whereof, & to the entent the kinges maiestie his heyres & successours shalbe the better serued in obteining or hauing of the custody of the bodies of his highnes wardes, and their honours, manours, landes, tenements, and he reditamentes into his graces custody and gouernaunce. during the mino rity of such wardes, and also shal yerely as wel truly answered contented and payd of for the sale of the bodies of the wardes, and the landes bar gayned for them, during the said minority, and of other the premisses as of the rentes fermes, issues and profites rising comming and growing, or which hereafter shal rise and growe, of all and singular the castelles, ma nours landes tenementes and other hereditamentes, belonging & which hereafter shal rise and belong to the king his heyres & successours, by re son of the sayd wardes and other the premisses, in such court place maner fourme and condicion as hereafter shalbe limitted declared & appoynted Be it enacted ordeyned and established by the assent of the kinges maie sty, his lordes spiritual and temporal, and the commons in this present par liament assembled, and by auctority of the same, in maner and fourme as hereafter followeth in articles, that is to say.

¶ First the kinge our sayd soueraine lorde. by the auctorite aforesaid, or deyneth maketh establysheth and erecteth a certaine court. commonly to be called for euer the courte of the kynges warde, which court by auctorite afore sayd contynually and for euer shalbe a court of record. and shal haue one seale to be engraued and made after such fourm facion and maner as shabe appoynted by the kynges highnes, and shal remaine and be ordred as hereafter shalbe declared.

¶ And also be it enacted by the auctorite aforesayde, that there shalbe one certayne person to be named and assigned by the kinges highnes his hei res and successours, which shalbe maister of the same court, & shalbe chefe and principal officer of the same courte, and shalbe called maister of the-

wardes, and shal haue the keping of the sayde seale, to be assigned for the sayd court.

Also be it enacted by thauctority aforesayd, that there shal be one person to be learned in the lawes of this land, to be named & assigned by the kinges highnes, which shal be called the kinges attorney of the sayd court, and shalbe the second officer of the same court.

Also be it enacted by thauctority aforesayd, that there shalbe one person to be named and assigned by the kinges highnes, which shalbe called the kinges receyuour general of the landes of his wardes, and shalbe the third officer of the same court.

Also be it enacted by thauctority aforesayd, that there shall be two persons to be named by the kinges highnes, whyche shalbe called the auditours of the landes of his graces wardes, and shalbe called the fourth officer of the same court.

Also be it enacted by thauctority aforesayd, that there shalbe two clerkes to be named and assigned by the kinges highnesse, to be clarkes of the sayd court, wych shal make all indentures bargaines, and leases to be made and graunted of the kinges wardes landes, record all apparances, and make al ordinary processe and entrees, out and from the sayd court.

Also be it enacted by thauctority aforesayd, that there shal be one other person to be named and assigned by the kinges highnes, which shalbe the messanger of the sayd court. And an other person to be named & assigned by the kinges highnes, which shalbe called the vsher of the same court, wych messanger and vsher and either of them, shal haue such and like profites and auauntages as the messanger and vsher of the kinges duchy chamber at westm. haue and perceyue.

Also the sayd mayster of the kinges wardes, which shal be appointed by the kinges highnes shal take a corporal othe afore the lord chancellour of England, for the time being, after the tenour ensuing.

Ye shall sweare, that ye wel and truly shal serue the king in the office of the maister of the kinges wardes, and shal minister equal iustice to rich and poore, to the best of your cunning witte, and power, and that ye shall diligently procure al thinges, which may honestly and iustly be to the kinges aduantage and profit, and to the augmentacion of the rightes & prerogatiues of his crowne, & truly vse the kings seale appointed to your office and also endeuour your selfe to thuttermost of your power, to se the king truly and iustly answered yerely of all suche rentes, reuenues, issues, and profites, which shal or may arise growe, or be due to the kinge in your offices, and fro time to time deliuer with spede such as shal haue to do afore you, And that ye shal not take nor receiue of any persone or any gifte or reward in any cause or matter depending before you, or wherein the kinges highnes shal be party, wherby any preiudice, losse, hinderance or diuersion shal growe or be to the kinges highnes, so helpe you god and all sainctes.

Also the said attorney shal take a corporal othe before the said mayster of

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the wardes, according to the tenour ensuyng. Ye shal sweare that ye well and truly shall serue the king as his attorney, in all courtes for and concerning any matter or cause that shall concerne the possessions and hereditamentes limitted to the survey and gouernaunce of this court, and procure the kinges profitte therof. And that ye shall truly counsayle the king and the mayster of this court, in all thinges concerninge the same to the best of your conning wytte and power. And wyth all speede and dylygence, from tyme to time at the callynge of the sayde mayster: ye shall endeuour your selfe for the hering and determinacion indifferentlye of suche matters and causes, as shal depend before the sayde mayster: And that ye shal not take any gift or reward in any matter or cause depending in the same court or elles where, wherin the king shalbe partye, whereby the kynges maiestie shal be hurted or hindered or disherited: And further ye shal do to your power wit and conning al and euery thinge that shall appertaine to your office. so helpe you god and al saintes.

¶ Also the said receiuour general shal take a corporal othe before the sayd maister of the sayd court, according to the tenour ensuing: ye shall sweare, that ye shal wel and truly serue the kyng our souerygne lord, and his people in the office of the general receiuor of this court. And ye shal reasonably and honestly procure the kinges profite, and do right to al maner of people poore and ryche in those thinges which touche your office & the kynges receipt of his money, you shal truly kepe dispende paye and deliuer and true declaracion and accompte therof shall make from tyme to time without any concelement according to this acte, made for the establishement of this court. And further shal do euery thing that of ryght appertayneth to your office, so helpe you god and all saynctes.

Also the sayd auditours shal take a corporal othe before the sayd mayster after the tenour ensuyng: ye shal swere that ye truly shall serue the kyng in your office, & true alowance make to euery person, which shalbe accomptāt before you, and you shal not take or receyue of poore nor rich any gift or reward in any matter or cause depēding, or to be discussed in the same court but such as shalbe ordinary appertayning to your office, wherby the king shal be hurted hindered or disherited, and ye shal do all and euery thynge, which shalbe appertaining to your office, so helpe you god and al saintes.

¶ Also al particular auditours, that shal belong and be appoynted to the sayd court, shal take a like corporal othe before the said maister of the wardes: ye shal swere, as is before in the next article.

¶ Also all particular receyuors appoynted by the sayd maister attorney, receyuour generall, and auditours or the or two of theym, where of the mayster to be one, to receyue any reuenues and profites within the survey of the same court, shal take a corporall othe before the sayde mayster of the wardes after the tenor ensuing: ye shal sweare, that ye truly shal serue the king in your office, and nothing conceale: but true accompte make of all such reuenues, rētes, summes of money, & other profits, wherwith ye shal be

lawfully charged by reason of your office, ye shal make no petition or aske allowance but such as shalbe good, iust true and reasonable, and also truli content and pay to the kinge all such summes of money as shall come to your handes: and ye shal do all and euery thing and thinges, whyche ye ought to do by reason of your office, according to the fourme and effect of this acte, so helpe you god and all saineres.

¶ Also the said clerkes of the counsel of the sayd court and euery of them shal take a corporal othe before the sayd mayster, after the fourme ensuing Ye shal sweare that ye shall well and truly serue the kinge in your offices of clerkes of the counsell of this court, and truly do and execute all and euery thing and thinges which ye ought to do by reason of your office, according to the fourme and effect of this acte, so helpe you god and al saineres.

¶ Also that al surueiors and feodaries, that shalbe appoynted by the said maister attourney receiuour general, and auditors of the said court or the or two of them. wherof the maister to be one, shall take a corporal othe before the sayd mayster. Ye shal swere. &c. vt in proximo articulo precedente.

¶ Also be it enacted by auctority aforesayd, that al wardes which the kinges highnes now is or hereafter shal be entitled to haue to their manors, landes tenementes rentes remainders, reuercions, seruices, and al other hereditamentes what so euer they be, as well in possession as in reuercion & al reuenues, issues and profites of the same, & euery parte therof for the time the same shalbe or ought to be in the kinges possession, shalbe in thorder suruey and gouernaunce of the said court and the ministers of the same in maner and fourme as by this act is declared and limitted.

¶ Also be it enacted by thauctorite aforesayde that the sayd mayster of the wardes, atturney, receyuour general and auditours or two of them, wherof the sayd maister shalbe one for the time being, shall haue auctorite to make sale and graunt of the kinges wardes and euery of them from time to time, and of such parte and porcion of the landes in possession and reuercion or any of them during the minority and nonage of the same warde. that shalbe so solde or graunted and as long as the same landes and reuercion shal remaine or be in the kinges handes, as they shal thinke most conuenient: The same sale and graunt to passe by the kinges byll assigned, which bil assigned shal be warrant sufficient to the chancellor of England for the time being, to make forthe the kynges letters patentes vnder the great seale of England, according to the tenour of the same byll, payinge for the same al and singular like fees for seales and writinges, as heretofore hath bene vsed & accustomed to be payed for the same in the chancery and to the signet and priuy seale, and to euery of them.

¶ Also be it enacted by thauctority aforesayd, that the sayd mayster of the wardes for ỳ time being, with thaduise of the said attourney & receiuor general or one of them, shal haue auctority without the kinges bil assigned to make woodsales to the kinges vse of al vnder woods vpō any of the kinges wardes landes, being lawfully in the kinges possession, & to take & appoyn

power tinder for the necessary operacions of al the castels maners, landes tenementes and parkes of the sayd wardes and shal also have like power and auctorite in the kinges name to make leases during the minoritie of the sayde wardes and heires as is above written by them discretions of al & singuler lordshipes maners, landes and tenementes remaynyng in the kinges handes and possession, belonging to the sayde wardes and every parcel thereof, yelding rente kinges customes his heires and successors such rentes as by the said maister of the wardes attorney receyuour generall and auditours or the of them, whome the sayde maister to beseme, shalbe thought convenient by their discrecions and surveye

¶ Also be it enacted by thauctorite aforesayd, that the sayde maister of the wardes for the time being shal have auctorite by this acte to make and appoint al and singuler particular receyuors, feodaries, and surveyours in every shyre, and also fees for the executing of the same under the seale of the same office, in such wise as the same officers may be alwayes removeable at the discrecion of the sayd court.

¶ Also be it enacted by thauctorite aforesayd, that the sayd maister of the wardes for the time being shal have auctorite by this acte to make also like wise of the coffers of al commissioners, particular receyuors, surveyours, auditours countrolours, and fraderers, and every of them, by his bylle assigned, which bil shalbe warrant sufficient to the auditours belonging to the same office, to make due allowance of the same.

Also be it enacted by the auctorite aforesayd, that the sayd maister of the wardes in al places, and the said attourney receyuour generall and auditours, or two of them in the sayd court, the sayd maister being oone, shal have power and auctorite to take obligacions to the kinges use of every particular receyuour, which shalbe assigned for the sayd courte, and of their suretie for their payment of his receiptes. And also to take obligacions to the kinges use, also of every sarjeaunt bailif reue or other accomptante, for the true payment of their arrerages, and of every person and personnes which shal be indetted to the kinges highnes for any arrerages of his or their receites fermes or charges as of any other person or persons for any other cause or matter concerning the charges determinable in the sayde court. And that all suche obligacions and writinges obligatorye of what summe so ever they be, shal be of the same strength power force, qualitye and effecte to al ententes and purposes as fine pleges obligatorye herein fore made by any lore persons by auctorite of the statute of the staple done or ought to be. And that upon certificat hereafter to be made of the charges Chauncerye of anye such writinges obligatorye, to be taken for such paymentes, ye proces and execucions shalbe thereupon had and made as gaynst any person spirituall and temporall, as hath been accustomed to be made agaynst any lore person upon certificat of writinges obligatorye, of the sayd statute of the staple.

¶ Also that the sayd maysters of the wardes for the time being shall have

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ful power and auctority to awarde vnder the seales to be appointed to the
sayd court in the kynges name, such proces and processe, as they shall reas-
nably perceyue to be deuised, as well for and concerning the true
serche, as for and concerning the true
certeyntie of the kinges maiesty his heyres and successours of in
to, any wardeships, liuerees, tenementes, landes, annuyties, fees, offices,
or other thinges in any wise touching or concerning any thing appertey-
ning to the office of the sayd court, or any parte thereof, for and on the behalfe of our
sayd souereigne lord the king, or his heyres, against any person or persons
by occasion of the premisses
And be it enacted by thauctority aforesayd, that the said attorney, be-
sides other generall and notorious, dayly dueties pertayning to his office
shall also, from time to time attende
vpon the sayd court, for the hearing and ordering of mat-
ters and causes in the same court, for the time of his being there. And that the pro-
uisions kept for the law at westm. and other places, with all diligence, that all
rentes, farmes, profites, casualties, impouerishementes and other emolumentes
of the wardes, mariages, liuerees, and of all other the landes, tenementes
and hereditamentes, being in the custody and gouernaunce of the sayde
court, shall be truly and iustly payed and answered to the said receyuour
general of the said court, to the vse of the kinges highnes, without con-
celing any part therof. And that all other and perfite processe to be made
and sued forth as shall be thought conuenient by the kinges learned counsell
of and for any place thereof from time to time, for the same and cause shall re-
quire, without any delay.
And be it enacted by thauctority aforesayd, that the sayde clerkes particu-
lar receyuours, auditours, surueyours, stuardes, bailiffes, and euery other
person, shall vpon reasonable warninge geue at all times and places from
time to time attendance vpon the sayd maister of the rolles, for the
due execution and expedicion of the premisses, before delaye, vpon such
paines as shalbe affected by the kynges maiestie, vpon information therof
geuen by the sayd maister to his highnes.
And be it enacted by thauctority aforesayd, that if any of the sayd officers
appointed for the same court, do conceale or withdrawe willingly any rent-
es, reuenues, casualties, or other profites, falling growing or comming to
the king by the auctority of any of his seuers wardes, or by reason of any
other thing appointed by this acte of the said parliament that the officers so
offending shall forfeit to the king our said souereigne lord, the double value
of the thing concealed or withdrawen.
And be it enacted by thauctority aforesayd, that the auditors general of the
wardes landes and euery of them for the same being shall haue auctority to ex-
amine the accomptes of all particular accomptantes taken by any particular
auditor or auditors, vpon any part of the wardes landes, seuers landes and
of other thinges appointed by this acte to the order of the said court, and to al

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lowe and disalow all that shal be reasonable, within the said accompts as largely as to the said maister of ỳ wardes, atturney, receiuor general and auditors or iii. of them, wherof the sayd mayster to be one, shal be thought expedient and necessary. And that euery of the sayd particular accomptantes for the yere to be ended at the feast of sainct Michel tharchāgel, yerely for euer, shal make and finishe his accompt, & certify the same into the said court, before the first day of Februari next after the same feast ensuing, and within thre monethes next after the said accomptante, to make ful paimēt to the receiuor general of the sayd court, of all suche summes of money as shal appere to be due to the king by the same accompt.

¶ Also be it enacted by the auctoritye aforesayd, that the sayd receyuour generall for the time being, shall haue auctoritye by this acte, to geue hys acquitaunce ot and for such money and obligacions as he shal receyue of them to the kinges vse, for the wardes landes idcottes landes, and other thinges appoynted to the sayd court. And that his sayde acquitance shall be from henseforth sufficient acquitaunce and discharge, as well for the discharge of the partyes agaynst the kynges hyghnes his heyres and successours, for paiment of so much money as also to the auditour for the time beyng for makyng due allowance of the same.

¶ Also be it ordeyned by the auctoritie aforesayd, that the sayde receyuour general, before the xx. day of Marche, next after the feaste of saynete Michal tharchang. l shal yerely declare truely his whole accompt to the said maister of the wardes, atturney, and to one or both of the sayde auditors general, of the wardes landes, whych mayster attourney, and one or both of the sayd auditoures, shal by this act haue auctoritye to take & determine the same accompt before the last day of July next ensuynge, vpon whyche determination of accompt the sayd receyuour general within one moneth next ensuyng the determination of the same accompt, shal truly content and pay to the kinges vse, all such summes of money as shall appere to be due to the kinges highnes and vnpayd vpon the sayd accompt.

After whych determinacion, the sayd auditour shal engrosse the same into parchmen t, and the same so engrossed shal returne into the office of ỳ wardes before the last day of Februarye next after the determinacion of ỳ same accompt, there to remaine as the kinges recordes.

¶ Also be it enacted by thauctority aforesayd, that the particular auditors and other officers, counsellours, & ministers of the same court for the time being, shal yerely perceyue and take by the handes of the sayd receyuour general, particular receiuours and al other officers and ministers accomptaunt al and singular such dueties rewardes, profites and commodityes, as well for theyr attendaunce vpon the sayd mayster for the time beynge, and for making of bookes, declaracions and values as for other matters counselles, and causes, of for and concerning the sayd court, and also for expēces, costes and charges of the said auditors and particular recepuers and euery of them, yerely ryding theyr seueral circuites and limitacion, in

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as ample and large maner & forme, as to the saide mayster of the warde & attourney, receyuer general & auditours or thre of thē (whereof the sayd mayster to be one) shalbe thought conuenient to be appointed by their discrescions.

¶ Also be it enacted by thauctority aforesayd, that the sayd general receyuour from time to time vpon his accompte, shal be allowed aswell of such fees as shalbe limitted vnto him for thexercise of his office, as of and for al such summes of money as he shall pay to any patente or patentes of anye office, fee, annuity, that shalbe granted or geuen vnder the seale of the said court, and also of all such money as he shall pay to any other person or persons by vertue of the kinges warrant or byl assigned. And also of all such summes of money as he shal be commaūded to pay by any byl assigned or subscribed by the hand of the sayd maister for the time beyng, vpō such cōsideracions as shalbe thought conuenient by his discrescion, as wel for the finding & exhibicion of the kinges wardes in his graces custody, as of for any other cause thing or matter concerning the sayd court of the wardes whot so euer it shalbe. And that the sayd auditours taking accomptes of the said receyuour general, & of any of the sayd particular receyuours shall haue power & auctority to alowe to the said receiuor general the premisses and euery part of them. And also to allowe to euery particular receiuor, & other accōptantes aswel their fees wages & al other such summes of money as they or any of them shal pay of for in and about any buildings or reparacions of the wardes landes to be made vpon any warrant to be directed from the sayd court, as all other honest peticions and allowances, in as large and ample maner as the sayde mayster of the wardes attourney and auditors, or two of them, whereof the sayd maister to be one, shal think most expedient.

¶ Also be it enacted by thauctority aforesayd, that al maner of proces that shalbe made out of the kinges eschequer, to or against any persō or persōs for any ferme, rentes issues or profytes, concerning ỳ premisses or any part therof, or any other thing limitted in this act, to be in the surney order and gouernance of the said court and the ministers therof, shalbe clerely voyd and of none effecte to al intentes and purposes.

¶ Also be it ordeyned and enacted by the auctority aforsayd, that the money and obligations taken for money by the said maister for the sale of the kynges wardes, and other thinges appointed by this act to thorder of the sayd court, and also the money and obligacions taken for money by the sayd receyuour generall for the kinges rentes, and for widowes, fynes for theyr licence to mary, and other casualties of the wardes landes ideotes landes, issues profites and debtes, yearely growynge to the kynges hyghnesse by reason of the premisses, shal be yearely paied and deliuered to the handes of the treasourer of the kinges chambre for the tyme beynge or elles where, to whom it shal please the kynges hyghnesse, his heires or successors to geue auctority by commission vnder his great seale, to receyue the same. And that a byl subscribed with thand of the said tresorer or

other

other commissioner, shalbe a sufficient acquitance & discharge to the mayster and receiuor vpon al and euery payment by them to be made, and also to the auditors there for the allowance of the same. And that the same maister and receiuour general, shal ones in the yeare declare vnto the kinges maiestie the profites and estate of the sayd office.

¶ Also be it enacted by the auctoritye aforesayd, that the said maister and officers of the sayd court, shal take such & like fees for the seales and wrytynges to be made and graunted out of the sayd court, at the suyte of the parties, as they nowe vse to take, that is to say, For the fees of all processe at the suite of the parties vnder the priuy seale of the sayd court. ii. s. vi. d. Ans for the fees of al commissions directed out at the suite of the partyes ii. s. vi. d. And for recording of al apparaunces. iiii. d. and no more.

¶ Also be it enacted by the auctority aforesayd, that the sayde mayster, by the aduise of the sayd attourney receiuer general and auditours and thre of them, wherof the sayd mayster to be one of thē, shal haue auctority by this acte to suruey all the kinges widowes, and to treate cōmon and conclude as wel with al and euery of the kings widowes that now be or that hereafter shalbe, and that haue maried thē selues without the kinges licence, or that hereafter shal happen to mary them selues without the kinges lyrence, for their reasonable fines to be made to the kinges vse, and to taxe and assesse the same by theyr discrescion, according to the statute of Prerogatiua regis: the same fynes to be paied to the receiuor general of the wardes landes, as the same may appere yerely in his accompte.

¶ Also be it enacted by thauctority aforesaid, that the said maister by the aduise of the sayd attourney, receyuour general and auditours, or three of them, shal haue auctority by this acte, to suruey, gouerne and order al and singular ideottes and natural fooles, now being in the kinges handes or that hereafter shal come and be in the kinges handes: And also to suruey and order al the manours landes tenementes, and other hereditamentes whatsoeuer now being in the kinges handes, or in the handes of anye other person or persons, to their vses, or to the vse of any of them that hereafter shal come and be in the kinges handes his heires and successours in the right of any of them, by reason of his graces prerogatiue royal: And also by thaduise of the sayd attourney receyuour generall and auditours, or three or two of them, to let and set the manours landes and tenements to the kinges vse for the time of the kinges intereste, for suche rente and fine as by their discrescion shalbe thought conuenient: The findyng and kepyng of the said persons, their wiues and children, and the reparacions of theyr houses & lands alway to be considered in the doing therof, the same rentes & fines reserued to the kinges grace to be paid alwaies to thandes of the receiuor general of ẏ wardes landes for the time being, as the same may appere in his accompt, and be recorded in the court of wardes.

Also be it enacted by thauctoritie aforesayd, that the maister of the kinges liueries shal passe no liuery with any person or persons. that be or ẏ haue

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bene or hereafter shalbe the kings wardes, vnto such time they shal receiue knowlage from the court of the kinges wardes, what case thaccomptes tenantes & fermours of the wardes landes stand in with the kinges highnesse, and what suretie and ordre is taken therfore, and for the rates to the kinges vse. And that euery warde hauing his liuery, shal within .vi. monethes next after the liuery had bring the same liuery to the auditours of the wardes for the time being, or to one of theym, to haue the same there enrolled for the discharge of the landes against the kinges highnes, according to the tenour of the sayd liuery; and shal pay for the inrollement therof such reasonable summe of money as shal be appointed by the sayd mayster of the wardes; so that it excede not the summe of .x.s.

☞ Also be it enacted by the auctoritye aforesayd, that al and euery person and personnes, to whom the kinges highnes shall graunt the custodye and wardeship of any his graces wardes, shal vpon his bill assygned thereof, sue forth his patent within .iiii. monethes next after the assignement of the sayd byll, or els the same byll and the effect therof to be vtterlye voyde and of no force.

¶ Also be it enacted by thauctoritye aforesayde, that the generall receyuer and chiefe auditours of the said court for the time being, shal yearely perceiue & take as wel by the handes of the general receiuer, as by the hands of all and singular particular receyuours and all other officers and ministers accomptante within the suruey of the sayd court for the time beyng, all and singular such summes of money for such like diettes, rewardes profites and commodities, as wel for theyr attendaunce vpon the sayd court, and for making and writing of bookes, declaracions and values, as for theyr expenses costes, and charges of the same general receiuour and auditours and euery of them, for the time being, yerely rydynge theyr seuerall circuites and limittes, in as large and ample maner and foueme as shalbe appoynted by the sayd mayster of the wardes and attourney of the said court by their discrescions. And that the said auditours for the time being shal haue power and auctority yerely from time to time to allow the same

¶ And also be it enacted by thauctority aforesayd, that as many accōptes of the kinges wardes landes, ideottes landes, wardes for mariages of widowes, and licences for the same: as ben clerely accompted and not returned into the kinges eschequer, and also as manye other accomptes of the wardes landes, ideots landes, fines for mariing of widowes, and licences for the same, as ben not yet fully accompted and engrossed, shalbe engrossed and returned within thre yeres next cōming into the office of the wardes, there to remain as the kinges recordes. And that the kinges highnes surueiors general of his graces landes, & auditors of his graces wardes, landes and euery of them, shalbe therof discharged against the kinges maiesty, of and for the retorne of the same accōptes into his graces eschequer Any acte statute or ordinance heretofore made to the contrary in any wise

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notwithstanding.

¶ And it is further enacted and stablyshed by thauctoritye aforsayd, that the sayd mayster of the wardes for the time being shal haue auctoritye by this acte, with the aduise of the attourney & receiuour general of the same court or one of them, to call at all times before theym into the office of the wardes by the proces of the same courte, al and euery person and persons which is or hath bene the kinges warde, intruding or entring into or vpon his or theyr landes, or vpon any parte therof, after his or their full age of.xxi.yeres, and before that he or they haue sewed, and opteined liuerye or ouster le maine, for the same, out of ye kinges handes, vnder his great seale aswel to make aunswer for his or their intrusion vpon the kinges possession, as to make payment to the kinges receiuour general of the same office as all such rentes issues and profites by him or theym taken at any time after his or theyr sayd ful age of.xxi.yeres, and before liuery sued for ye same out of the kinges handes in fourme aforesayd.

¶ And be it enacted by thauctority aforesayd, that if any persō or persons, called by the kinges processe of the same court to appere at Westm̄ in the same court. within the terme at a certaine daye to him prefixed in the processe to appere. and haue day geuen in court, to make answere to the matters, agaynst him obiected in the same court, on the kinges behalfe depart the court before answer made, and attourney put into the court with assent of the court for the prosecuting the matter with effect, shall forfayte to the kinges grace his heires and successours such fine as shall be set vpon him for his content and offence in that behalfe, as the said maister attournaye & receiuour general or two of thē shal thinke cōuenient by their discrescions to be leuied of his landes & tenementes goods & cattals to the kinges vse

¶ Prouided alway and be it enacted by thauctority aforesaid, that John Perin whiche by the kinges letters patentes hath bene heretofore and nowe is auditour of his graces wardes landes, shall continue and be one of the two auditours in this acte before mēcioned during the terme of his natural life. Any thing contayned in this acte to the contrary in any wyse notwithstanding.

¶ An acte that the byshop of Norwiche shalbe charged with the collection of the kynges tenth in his dyoces. Cap.xlvii.

VHere in the parliament holden in the sixe and twenty yeare of our soueraigne lord the kyng that nowe is, amonges other it was ordeyned and enacted, that the kinges maiesty his heyres and successours kinges of this realme, for more augmentacion & maintenance of the roial estate of his imperial crowne and dignitye of supreme hed of the church of England, should yerely take haue, enioy and receyue vnited and knyt to his imperial crowne for euer, one yerely rent or pension amounting to the value of the tenth part of al the reuenues, rentes fermes, tithes offeringes, emolumentes, and of al other profites as wel called spiritual as temporall

thing appertaining or belonging, or that after that time should belong to any archbyshoprithe bishoprithe, abbey monastery, priory, archedeaconry, deanry, hospital colledge house collegiat prebend, cathedral church collegiate churche, conventuall church personage, vicarage, chaunterye free chappel or other benefyce or promocion spiritual, of what name nature or qualitie so euer they were within any dioces of this realme or in Wales.

The sayd pension or annual rent to be yerely payd for euer to our sayd soueraine lord to his heires and successours kinges of this realme at y feaste of the natiuity of our lorde god, whiche then shoulde be in the yeare of our lord god .m.d.xxxv. and to be payd yerely by such as should be appoynted to haue the collection therof by the sayde acte, in suche maner and fourme as hereafter shuld be limitted by the sayd acte before the first day of aprill yerely next ensuing after the sayd feast of the natiuitye of our lorde God. And that euery archbishop and bishop then being or that hereafter shuld be charged and chargeable to lelye, collect, and receiue within their proper dioces, as wel in places exempt as not exempt, al suche summes of money wherewith the dignities benefices and other promocions spirituall afore named within their dioces chargeable by the sayd acte, shuld be set rated, and charged towards the paimēt of the said yerely pension, and shold pay and content the sayd summes of money yerely before the first day of Aprill to the receyuer of the kynges chamber for the tyme being, or to any other person or persons, whom it should please the kinges highnes to appoynte to receyue the same. And that euery of the sayd archbishops and bysshops, their executors and administrators, and the possessions of their dignities, and churches, should stand charged and chargeable for the sure payment of such summes of money as they should collect and receyue of the sayde yerely rent and pension as by the sayd act more playnly it doth appeare.

And by like act of parliamēt holden in the .xxvii. yere of our sayd soueraine lordes reygne, the bysshoppe of Norwych that nowe is and his successors were clerely acquyted and discharged of and for the collection of the sayd yerely tenth, that was then or should be due and leuiable to the kinges hyghnes within his said dioces of Norwich, of any person or psons or bodies politike or corporate chargeable to the yerely paiment of ỳ said tenth, the act made for the same collection of tenth to the contrary notwithstanding as by the same act it wil also appere. But forasmuch as the kinges hyghenes in recompence of diuers and sundry lordshyps and manours parcel of the sayd bysshopriche geuen vnto his grace by act of parliament hath vnited and knit to the see of the sayd bishoprithe of Norwiche the monastery of saint Benettes with diuers other possessions being of a greater yerely valu thā the sayd lordshippes and manours so to his grace geuen were: It maye be by thauctority of this present parliamēt ordeined & enacted, that from hence forth the bysshoppe of Norwyche, that nowe is and his successours, bysshoppes there, and in the time of vacacion of the sayde bysshoppriche,

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the deane and the chapiter of the cathedral church of Norwich, shal collect & gather together the sayd annual rente or pension of al ẏ promocions spiritual within the said dioces, as wel in places exempt as not exempt. And all and singular such summes of money so by him or them to be collected & gathered, to pay yerely to the handes of the treasorer of the first fruites & tenthes before the sayd first day of April and thereof yearelye to accompte before the barons of the kynges Eschequer, and to haue like alowance & discharge upon the same accompte by the acquitance of the sayd Treasorer, as other bishops and collectours of the sayd tenthes haue had or shall haue: the acte made in the sayd seuē and twenty yere of our said souerain lordes reigne to the contrary in any wise notwithstanding.

An acte concerning the castel of Douer, castel wardes and other municions thereabout. Capt. xlviii.

Vthere the castell of Douer, wherof the kinges maiesty is verye owner in the right of the imperial crowne of this his realme, is not only a very honorable strong & defencible fortresse, set & standing next vnto the the sea on ẏ east partes & frōtours of this his realm, but also is so necessary a thing for the defence & sauegard of ẏ same that it may not in any wise be lacked or forborne, wherfore ẏ king our souerain lord hath hitherto to his great costes & charges repaired & susteined ẏ same, & also continualy kepeth & mainteineth therin agreat number of al souldiers ther alway keping watch & ward, furnished sufficiently with harneis artyllery & other munitions of war for sauegard of this realm toward & for the cōtinual sustentacion of which said castel & furnitures of the same our said souerayne lord & his most noble progenitours kings of this realm, haue had time out of mind many sundry reuenues, & namely rents cōmonly called castel wardes, due and to be paid by reason of the same castel, of and for diuers other castels manours lordships lands tenementes & hereditamentes holden of the kynge and his said progenitours that is to say some of them holden of the constablery of the same castel & others holden seuerally of the honours of Creue, ure, Hagenet Fobert, and other honours being mēbres of ẏ sayd castel of Douer, which said rentes called castel wardes, ben at this presēt time much decaied & diminished, by reasōs & causes vnderwrittē that is to say bicause ẏ diuers of the manors landes & tenētes which were holden of the sayd castel be come to the possessiō of our sayd soueraine lord in estates of inheritance, & others haue be geuen by his grace or his said progenitors to diuers theyr subiectes to be holden by other seruices, & diuers other be, & more hereafter shalbe in the possession of the kinges maiesty by reason of wardship primer seasō, purchase exchāge or otherwise by gift of any estate of inheritance, wherby some of the said rentes called castel wardes by the lawes of this realme, be & shalbe vtterly extincted for euer, & many other of the same rentes by long times shalbe suspēded and not due to be payd: by occasion wherof, the said castel and ẏ officers and souldiers therof can not be nor shalbe sustained, as heretofore honorably haue ben, onles ẏ conue-

ment remedy therfore be prouided. In consideratiō wherof our sayd souerain lord the king is contented and pleased that it be ordeined and enacted by auctority of this parliament, that where the tenauntes and owners of the castelles manors landes and tenementes, whych ben holden of the sayd castel of Douer, and lye in many shyres of this realme, farre distaunt from the same castel ben bounden by their tenures therof, to pay and yeld at the same castel of Douer the said rentes called castel wardes, at diuers and sundry dayes of the yeare, to their great costes and charges, and vpon great penalties & forfaitures, cōmonly called in the said castell of Douer sursises. All and singular those tenauntes, which nowe holde or hereafter shall holde any landes, tenementes and hereditaments by the said seruice to pay the sayd rentes called castel wardes, shall yelde and paye the same rentes from and after the feast of sainct Michael tharcangel next cōming to the kinge our souueraigne lorde, his heires and successors at the kynges court of eschequer yerely in the feast of saint Simon and Iude, or within xv. dayes next after that feast, and not at the said castell of Douer nor to the constable or other officer or minister of the same castel.

And be it enacted, that if any tenaunt maketh default of payment of such rent contrary to the fourme of this acte, then euery tenaunt so making default of payment, shal yelde and pay to our sayd souueraygne lorde the kyng his heyres and successours, for euery such his defaulte, the double of his rente, that is to say, twise his rent then beyng dewe to be payde without any other sursise penalty, or forfayture for none payment thereof And that euery of the sayd tenauntes which holde any of their landes, tenementes or hereditaments by the seruice, to make repaire and build any house or houses within the sayd castel shal do and perfourme the same according to their said duties and tenures.

Prouided alway & be it enacted by thauctority aforesaid, that durings all such time as any landes tenementes or hereditaments, holden of the said castel of Douer, by rent of castel warde, shal be in the handes or custodye of our saide souueraigne lord the kyng, or of any of his heires or successours kyngs of this realme, by reason of wardeship primer season or other wyse that by and for al such time the same landes tenementes & hereditaments and euery tenaunt and owner therof, & the heires and successours and assignes of euery of them shalbe discharged of the said rēt called castel ward against the kyng and his said heires and successours for euer without any paiment therof, for any such tyme to be made or yelden at any tyme after the same landes tenementes or hereditamētes shalbe deuested sued or had out or from the kinges handes or possession.

¶ And because that the more redy & vndelaied paimentes herafter shalbe had and made to all officers ministers and souldiers of the said castell of Douer for the time being without any defalciō abridgement or restraint of any of their fees stipendes salaries or wages in any wise to be made: be it ordeined and enacted by thauctoritie of this present parlyament that the

constable

constable of the sayd castel of Douer, and euerye of his successours beyng constable of the same castell, shal haue as annexed vnited and appropriated to the same office from henceforth for euer, an annual or yerely rent of one hundred and three score pounds of lawful money, to be payd yerely to the same constable or his lawful deputy or assigne in the citie of Caunterbury at the dore of the common hall there, called the court hall of the kinges reuenues, of the augmentacions of his crowne, yerely growing and comming within the county of Kent, by the handes of the kinges general receiuor for the time being, of the sayd reuennes of that county, in the feastes of sayncte Michael tharchāgel the natiuity of our lord god, the annunciacion of our lady sainct mary, & the natiuity of sainct John Baptist, or within thre dayes next ensuing euery of ỳ same feastes, by euē portions yerely to be paid. And be it further enacted, that if the kinges sayd general receiuor for the time being, do not fully pay to the constable or his lawfull deputye or assigne, the sayd annual rent of one hundred and three score pouds according to the tenour of this acte before written, except therof to be retayned by the sayde receyuour onelye eyght pence for the making of his acquitaunce of euery of his paymentes, then the same receyuour shall forfayt and lose to the sayd constable for the time being, for euery such default of payment therof so to be made at any time or place of payment therof before limitted fiue pounde of lawful money, for which penaltie and all arrerages of ỳ sayd annual rent, the sayd constable shal haue his remedy by action of det scire facias, to be grounded vpon this acte or any other lawfull remedy to be pursued against the sayd receyuour for the time being in any competent court of the kinges lawes. In which suite none essoine protection or wager of lawe shall lye or be allowed.

And where our sayd soueraygne lord the king by his exceding great costes and charges hath lately made & builded nie vnto the seas, diuers castels Blockhouses, Bulwarkes, and other houses and places of great defence within the limites of the fiue portes, & their membres or betwene the same in the shires of Kent and Suller, for the sauegarde and surety of this hys realme and subiectes of the same, our said soueraign lord willing the same newe made castelles, Blockhouses, Bulwarkes and other defensible houses, and places to be wel surely and safely kept, and fulfilled with such and as many officers ministers souldiours, gonners, and other personnes, as his maiesty hath ordeyned and established, and hereafter shal ordeine and establishe to be and remaine at & in euery or any of them: And that euery of the same persons shal dayly and nightlye and from time to time continually do his office and duety in and at the same, wythout any extorcion oppression, or other iniury, offence or misbehauour, by them or any of them to be done or committed by sea or by lande, to or vppon anye whatsoeuer person or persons, to or vpon any of theyr shippes bootes, goodes, or cattelles, hath ordeyned and enacted by auctority of this present parliament, that the wardeyn of the sayd fiue portes, and constable of the said castel of

Douer, which now is and commonly heretofore hath bene one person, & euery of his successours, beyng warden of the sayd portes, and his lieutenant for the time being, or eyther of them, shal haue ful power and auctority by vertue of this acte, to survey, heare, and compterol, as often as by his discrecion, he shal thinke necessary or expedient, all and singular captaines kepers & other hed officers of euery of the sayde newe castelles, Blockehouses, Bulwarkes, and other defensible houses and places, and al souldiers, gonners and ministers and persones of any of them, and all the artillaries stores and munitions of war in any of them being, and by his discrecion as wel shall examine euery of the sayde captaines kepers officers, souldiers, gonners, ministers and persones by theyr othes vpon a booke, or otherwise, as wel of such offences, crimes, misorders, omissions and defaults, as shalbe thought by him necessary to be enserched tried or knowē as also of al exercises wastes imbesselinges miskeapinges and misusynge of the sayd artilleries, stores, and munitions, and shal commaunde and enioyne them, and euery of them by his discrecion to make reformacion and redresse therin, as by his discrecion shalbe considered to stand with reason & equitie, And if the importancy or vrgēcy of the cause or matter, shal so requier, the sayd constable shal make relacion and notification therof to the kinges maiestie, or to his honorable councel.

And also be it enacted, that if any of the sayd captaynes kepers officers souldiers, gōners ministers or other persons of any of the said newe castels Blockhouses, bulwarkes, or other defensible houses or places, in any wise resyst contemne disobey, or otherwyse offend against the sayde warden of the sayd fyue portes for the tyme being in anye of the premisses: Then it shalbe lawfull to the sayd warden to cōmit euery such offendour to ward into the sayd castell of Douer, or elswhere in the sayde portes or theyr membres, ther to remaine by the discrecion of the said wardē. And if any such persons so ones punished, shal eftsones offend in any of the premisses against the said warden. Then euery such offendour shal therfore forfayte and lose at the kinges pleasure his sayd office rome and seruice, and shall further be punished at the pleasure of our sayd souerain lord the king.

Prouided alway and be it enacted, that the sayd generall receyuour, may kepe and retayne in his handes so much of the kinges reuenues, as shal amount for satisfaction of the sayd yerely rent to be payd as is aforesayd: And shal also as wel be discharged and alloweth for the payment ther of, as of and for such costes and expences as he shall sustayne by occasyon of the same, as by the discrecion of the Chauncellour and ministers of the sayd court of Augmentacion shalbe thought reasonable vpon thaccompt of the sayd general receyuour.

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AN ACTE CONCERNINGE THE Kynges moste gracious generall and free Pardon.

THe kynges moste royall maiestie, prudently considerynge, that albeit his highnes of his moste excellent pitye, benignitye, and mercy manifolde times heretofore mercifullye and liberally hath graunted his moste free and generall pardon, to al and singular his subiectes, by the which his maiestie hath remitted and released innumerable and inestimable sub tance and profites, whych he mought haue lawfully taken and had by the lawes and customes of this his realme, trusting by his often remission pardon & mercy ministred to his subiectes, to allure offenders from vice to vertue, and that they would put their diligent deuours to amend and reforme theyr abuses: Yet neuertheless his louinge and obedient subiectes, sithens his last moste gracious and liberall pardons, to thē graunted, haue incurred into innumerable penalties, losses forfaytures, and domages, wherof none or fewe of them are able to make full recompence or condigne satisfaction to his highnes, if his maiestie should procede agaynst them by due course of his lawes, trustyng that nowe frombensforth they will eftsones amend and beware the incurring of the foresayd daungers and perilles, seyng they haue had so manye admonicions and gentill warninges, and perceiuinge also the great zeale and affection whych his louing subiectes beare vnto him, and his dignitie royall, as by many wayes in this present parliament they haue declared and shewed.

In consideracion wherof, and trustinge as afore, the kinges highnes to shewe vnto his louing subiectes that he both can and will consider whan he is both kindely and louingly handled of them vppon his mere mocyon, and declare also his tender loue and affection, which he beareth vnto his nobility and subiectes, according to his accustomable goodnesse, is contented and pleased at this time to extend his pitye, mercye, and benygnitye to al and singular his subiectes of this his realme of England, Wales, the Iles of Iernesey and Gernesey, Barwyke, and Calays, and the marches of the same, by way of his free pardon and remission as hereafter followeth, rather coueting theyr amendmentes by gentle and merciful meanes than to be enriched by their euel dedes and offences.

And for that his sayd free pardon to be had taken and enioyed to and by them and euery of them, by vertue of this present acte, his grace is fully and resolutely contented and pleased, that be it enacted by auctoute of this present parlyament, in maner and fourme folowing, that is to say, that all and euery of his sayd subiectes, as well spirituall as temporall, of this his realme of Engeland Wales the sayd Iles of Iernesey and Gernesey, Barwyke, and Calayes, and the marches of the same, the heyres, successours

execu-

executours and administratours of them, and euery of them, and all and singular bodies in any maner of wise corporate, cities boroughes, shyres, riddinges hundredes, lathes, rapes, wapentakes to wones, villages and tithinges, and euery of them, and the successour and successours of euery of them, shal be by auctority of this present parlyament, acquyted pardoned, released and discharged agaynst the kynges highnes, his heyres, successours and executours, and euery of them, of al maner heresyes, treasons felonies, robberies offences contemptes, trespasses, wrongs, decretes misdemeanors, forfaytures, penalties, and profites, summes of money, penies of death, peynes corporal and pecuniary, and generallye of all other thynges, causes, quarelles, suites, iudgementes, and executions, in this present acte hereafter not excepted nor forprised: whych maye be or can be by his highnes in any wise or by any means pardoned before and vnto the first day of July, in the .xxxii. yeare of his most gracious reygne, to euery or any of his sayd subiectes bodies corporate, cities boroughes, shires, riddinges, hundredes, lathes, rapes, wapentakes, townes, villages and tythinges or any of them.

¶ Also the kinges highnes is contented, that it be enacted by auctority of this present parlyament, that the sayd free pardon shalbe as good and effectuall in the lawe, to euery of his sayd subiectes, bodyes corporate, and other before rehearsed, and to euery of them, by the sayd generall wordes before rehersed, in and agaynst al thinges, which be not hereafter in this present act excepted, as the same pardon should haue ben if al offences contemptes, forfaytures, causes, matters, suytes, quarelles, iudgementes, executions, penalties, and al other thinges not hereafter excepted, had bene particularly, singularly, specially, and plainly, named rehersed and specyfied, and also pardoned by proper and expresse wordes & names in theyr kindes, natures, and qualities, by words and termes therunto requisite to haue ben put in and expressed in this present act of free pardō. And that his sayd subiectes nor any of thē, nor the heires executours or administrators, of any of thē, nor any of the sayd bodies corporate: and others before named or any of them, be nor shalbe sewed vexed or inquiered, in their bodies, goodes, landes or cattals, for any maner matter cause contempt, misdemeanor, forfayture, trespas, offence, or any thinge suffered done or committed, before the sayd fyrst day of July, agaynst his highnes his crowne dignity, prerogatiue lawe or statutes, but onely for such matter, causes and offences, as be playnly rehersed in the exceptions in this present acte hereafter mencioned, and for none other, any statute or statutes, lawes, customes vses or president heretofore had made or vsed to the contrary in any wise notwithstanding.

¶ Also the kinges highnes of his bountious liberalitye by auctority of this present parlyament graunteth and freely geueth to euery of his sayd subiectes, and to euery of the sayd bodies corporate, and other before rehersed and to euery of them, al such goodes cattalles, debtes fines, issues profites

fynes, amerciamentes forfaytours, and summes of money by any of them forfayted, whych to his hyghnes do or should belong or appertayne, by reason of any offence, contempt trespas, mysdemeanor, mater cause or quarell suffred done or committed by them or any of them before the said first day of July, whych be not hereafter playnly, forprised and excepted in this present acte, and all and every the kinges sayd subiectes, and all and singular bodies corporate, & other before reherced, may by him or them selfe, or hys or theyr deputy or deputies, or by his or theyr attourney or attourneis, according to the lawes of this realme, pleade and minister, this present acte of free pardon for his or theyr discharge, of and for euery thinge that is by vertu of this present acte pardoned discharged geuē or graunted, without any fee or other thing in any wise paying to any persō or persons, for writing or entre of the iudgement, or other cause concernyng such plea, writyng or entre, but onely .xii.d. to be payed to the officer or clerke, that shall entre the plea matter or iudgement for the parties discharge in that behalfe, any statute or vse to the contrary notwithstanding.

¶ And furthermore the kynges hyghnes is contented and pleased, that it be enacted by the auctority of this present parliament, that his sayd free pardon, by the generall wordes before rehearsed, shall be reputed, demed, and adiudged allowed and taken in al maner courtes, of his and ellwher as well in the wordes and clauses of the exceptions and forprises specified in this present acte, as in al and singular other clauses, wordes and sentences mencioned and reherced in the sayd free pardon, most beneficially and availably to all and singular his sayde subiectes bodies corporate and others before reherced, and to euery of them, and most strongly in bar and discharge against his highnes his heyres successours and executours in euerything, without any obstacle ambiguity chalenge or other delay, what so euer it shal be, to be made pleaded obiected or alledged by ꝑ king our souerayne lord, his heyres, successours, or executours, or by his or any of theyr general attourney or attourneyes, or by any person or persons for his highnes, or any of his heyres successours or executours.

¶ And furthermore it is enacted by the kyng our souerayne lord and by auctority of this present parlyament, that if any officer or clerke of anye of hys hyghnesse courtes, commonly called the kynges benche, Chauncery and common place, or of his Eschequer, or any other officer or clerke, of any other of his courtes within this realme, at anye time after the fyrst day of August next comming, whyche shal be in the yeare of our Lorde God a Thousand fyue hundreth and fourty, make out or wryte out any maner writtes or other processes or any erretes cōmons or other preceptes, wherby any of the sayd subiectes or any of the said bodies corporat or other before reherced, or any of thē, shalbe in any wise arrested attached distrained sūmoned or otherwise vexed inquieted or greued in his or theyr bodyes landes, tenementes goodes or cattelles, or in any of them, for or be cause of any maner thing pardoned or discharged by vertue of this acte,

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of fre pardon: he so offending and therof lawfully condemned, shall yelde and pay for recompense therof to the party so greved or offended, triple damages, accompted as parcelles of these domages, al costes of the suyt and neuertheiesse al and singular such writtes proces, extreates, and preceptes so to be made, for or vpon any maner thing pardoned or discharged by this present acte of fre pardon, shalbe vterly voyde and of none effect.

EXCEPTED alwayes and foryssed out of this general and fre pardon, al and all maner of herefyes and erroneous opinions touchynge or concerning playnly directly and only, the most holye and blessed sacrament of the Altar, and al maner such high treasons done and committed by any person or persons, by any ouert dede writing or printinge onely agaynst the kinges most royall person, and all sewtes, punishementes, executions, forfaytures and penaltyes, for or by reason or occasion of anye of them, all pretensed and voluntary murders, all robberies of churches, all rasyng of recordes, and al outlagaries, promulged or had vpon or against any personne or personnes, of and for any of the causes aboueseyd, excepted. And also except all titles and actions of Quare impedit, all encroachementes and wythholdinges of the kinges wardes, wardes landes at any tyme growen to the kinges handes, and not yet discharged, all wastes of the kinges woodes, all concelementes of customes and subsidyes, alienacions and decayes of houses of husbandry, made done committed or permitted contrary to the fourme and effecte of any statute or statutes heretofore made, and also al issues profites amerciamentes, fines and other penalties whych nowe be dewe or after shall be dewe growe or be forfayted for any such enclosure or decayes. And all intrusions had made or done sithe the fyrst day of March last passed, and all and singular debtes other than debtes vpon recognisaunces, beyng already forfayted for suretye of peace, good abearyng, or for none apparaunce at any day or place. And excepted and foryssed out of this pardon all accomptes and al actions, suytes and impeticions for the same, and all arrerages of accomptes and debtes dewe for the same and al homages and reliefes, rentes seruices and arrerages of the same, not done or not payed, and all debtes whyche were dewe to the most noble kyng of famous memorye kyng Henrye the .vii. or to any person or personnes to his vse by any condemnacion recognisaunce, obligation or otherwise, and all and singular these forfaytures being dewe to our soueraigne lorde kyng Henry the .viii. by any penal statute or statutes, whyche be conuerted into the nature of debt by iudgement or by agrement of the offendour. and all forfaytures and other penalties and profites growen or dewe by reason of any offence or act committed or done contrary to any statute or statutes, or contrary to the common lawe, wherof any seasour is made, or any informacio is geuen in the kynges Eschequer, or any suyte there commenced, or wherof the kynges highnes by his bill signed or otherwyse heretofore hath made any gyfte or assignement to any of his seruauntes. And also excepted al issues forfaited

ted fines amerciamentes aſſered tared ſet, extreated or iudged ſeuerallye, or particularly, extending to the ſumme of .C.s. or aboue: And that al and ſingular other fines, aſwel fines pro licentia concordandi, as other and all other iſſues and amerciamentes, as wel real as other, which ſeuerally or particularly extend not to the ſame ſumme of a hundreth ſhillinges, whether they be totted or not totted, take to the charge of the ſheriff or not taken to his charge, extreated or not extreated, whether they be turned into debt or not into debte, and not being leuyed nor receyued by anye theryffe or theryffes, bayliffe, miniſters or other officers ſhall be fullye clearely and plainly pardoned and diſcharged againſt the king our ſouerayne lord his heyres and ſucceſſors for euer, by this preſent acte of fre pardon.

¶ And be it further enacted by auctority aforeſayd, that in caſe it be objected to or againſt any theryffe or theryffes. or other accomptaunces in the kinges court of Eſchequer, or in any other his courtes, that any Sheriffe or theryffes or other officers accomptaunt, hath receiued or take any ſuch fines iſſues, and amerciaments by this preſent act pardoned & acquited, that than euery ſuch ſheriffe and ſheriffes, and other accomptaunces ſhalbe diſcharged releaſed pardoned and acquited thereof by his or their othe without any further triall in that behalfe.

Prouided alway, that this preſent acte of fre pardon, nor any thynge therin contained, in any wiſe extend to diſcharge remit or acquite any perſon or perſons for any ſuch iſſues fines or amerciaments of one hundred ſhillinges or vnder, as any ſheriffe heretofore hath accompted before the Barons of the kinges Eſchequer or elſwhere, and payd the ſame ſuche fines and amerciamentes, vpon his or their layd accompt determined to the kinges vſe, and haue his or their Quietus for the ſame.

Prouided alway and be it enacted by auctority of this preſent parliament, that all and euery perſon and perſons, which haue tended or ſuede ſue liuery out of our ſayde ſouerayne lorde the kynges handes of any manours landes tenementes and hereditamentes what ſo euer they be, ſhall ſue his or their liuery and liueries, out of our ſayd ſouerayne lord the kynges handes, of his or their manours landes tenementes and hereditamentes, any article acte or actes thinge or thinges in this preſent acte of general and fre pardon compriſed and ſpecified to the contrary notwithſtanding.

Prouided alway that this acte of general and fre pardon or any thing therin conteyned, extend not to Thomas Crumwel Erle of Eſſex. Margaret counteſſe of Salisbury, Arthour lord Lyſle, Honor Lady Liſle hys wyfe, Leonard Lord Gray, Walter lord Hungerforde, Rycharde Biſhop of Chicheſter, Edward Courtnay ſonne to the late Marques of Exceſter, Henry Poole ſonne to the lord Montage w. Nicolas Wilſon prieſt William Byrd vycar of Bradford, Gyles Heron, Margaret Tyrel wyfe of Willyam Tyrell, Richard Fetherſton, Thomas Abel Edwarde Powel prieſt, Laurence Cooke late prior of Dancaſter William Horne late

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lay brother of Carthuse, Christopher Joy, Clement Philpot, John Wollar Edward Corbet now prysoner, John Browne his seruaunt, Edmond Brindholme priest, Thomas Tichet, Willyam Steuins, William Hawkyns late of Caleys, Robert Barnes priest, Thomas Garrard priest, person of hony lany lane, William Jerome priest Richard Manchester priest Willyam more harper, Darby Gynnyng, Edmund Sexton, Charles Carowe, Anthony Bougegood, Adam Damplip, Henrye Godecike person of Hothfield in Kent, nor to any person nor persons, which heretofore haue ben attainted by auctority of parliament, or by iudgement at the common lawe of any maner of high treason. And also except and forprised all and euery such person and persons as haue bene heretofore excepted and forprysed by name or names in any general pardon, or in any other pardō giuen or graunted by our sayd soueraigne lord the king. And all such person and persons which haue heretofore fledde for theyr offences of treason out of this realme of England & other the kinges dominions of the same. And also excepted out of this fre pard on John Ginden.

¶ Prouided alway that all maner of treasons committed or done by any person or persons in the parties beyond the sea, or in anye other place out of the kinges dominions, be and shalbe by auctoritye aforesayd excepted and forprised out of this general and fre pardon. And also except out of the sayd pardons these heresies & erronious opinions hereafter ensuing, that is to say: That infantes ought not to be baptised, and if they be baptysed that they ought to be rebaptised when they come to lawful age. That it is not leful for a christen man to beare office or rule in the common wealth. That no mans lawes ought to be obeyed. That it is not leful for a christē mā to take an othe before any iudge. That christ toke no bodily substance of our blessed lady. That sinners after baptisme can not be restored by repentance. That euery maner of death with the time and howre therof is so certainly prescribed appoincted and determined to euery man of God, that neyther any prince by his sword can alter it, ne any mā by his owne wilfulnes preuēt or change it. That all thinges be common and nothyng seueral. Except also and forprised out of this generall pardon Gregorye Buttolphe priest and Richard Farmour of Eston in the county of Northhampton, and Robert Jewet late keper of Newgate.

GOD SAVE THE KYNGE.

LONDINI ex ædidus Thomæ Bartheleti,
Cum priuilegio ad impri-
menbum solum.